

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80423 of 2025

Arising Out of PS. Case No.-13 Year-2022 Thana- BAJPATTI District- Sitamarhi

Nasim Nadaf @ Wasim @ Md. Nasim S/o Late Md. Hasim Nadaf R/o
Village- Bhalahi, P.S.- Bathnaha, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate

For the Opposite Party/s : Mr. Shantanu Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 19-12-2025 Heard learned Senior Counsel for the petitioner and
Learned APP for the State.

2. The present criminal miscellaneous application has been filed under Sections 483 and 484 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as ‘the BNSS, 2023’) for grant of regular bail to the petitioner who is in custody in connection with Bajpatti P.S. Case No.13 of 2022 (N.D.P.S. Case Reg. No. 23 of 2022), lodged on 21.01.2022, under Sections 399/402/413/414 of the Indian Penal Code, under Sections 8/20(b)(ii)(C)/22 of the N.D.P.S. Act and under Sections 25(1-b)a/26/35 of the Arms Act pending in the Court of Additional Sessions Judge-II-cum-Special Judge, Sitamarhi.

3. Earlier bail application of the was rejected vide order dated 10.08.2023 passed in Cr. Misc. No.10030 of 2023



by Hon'ble Mr. Justice Sunil Kumar Panwar.

4. Learned Senior Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Learned Senior Counsel submits that petitioner is in custody since 22.1.2022. Counsel submits that it is the third bail application of the petitioner. He also submits that liberty was granted by the Court to move after lapse of six months and more than six months have elapsed but till date the Trial has not been concluded.

5. On the other hand, learned Additional Public Prosecutor for the State submits that recovery of one loaded country made pistol along with two live cartridges and 1.4 Kgs. of Charas like narcotics substance have been the subject matter of the present case and it is a commercial quantity as per the N.D.P.S. Act.

6. In this background, I am not inclined to grant bail to the petitioner. Hence, the prayer for bail of the petitioner is hereby rejected.

(Dr. Anshuman, J)

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