

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75449 of 2025

Arising Out of PS. Case No.-161 Year-2025 Thana- R S P.S. District- Araria

Md. Wasim @ Wasim S/O Shahbuddin R/O Vill.- Rajokhar, Ward no. 5, P.S.-
Araria R.S., Dist.- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gopal Kumar Jha, Advocate

For the Opposite Party/s : Mr. Md. Iftekhar Mahmood, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 10-11-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with RS PS
Case No. 161 of 2025 instituted for the offences under Sections
8(c) & 21(b) of the NDPS Act.

3. The prosecution case, in brief, is that on
30.08.2025 at about 5:30 PM, police raided the house of co-
accused Jasim Sah at Rajokhar Jatwara Tola and apprehended
Jasim Sah, Md. Nabab, and Md. Wasim (petitioner). About 10
grams of smack, a digital scale, aluminium wrappers, two
mobile phones, Rs. 6,784/- cash, and a Paytm QR code in Jasim
Sah's name were recovered.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner further submits that petitioner has no concern with the recovered contraband. The recovered contraband is below the commercial quantity. Hence, Section 37 of the N.D.P.S. Act is not applicable in the present case. The petitioner is in custody since 31.08.2025 and has got one criminal antecedent. There is no compliance of Sections 42 and 50 of the N.D.P.S. Act.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, recovery below commercial quantity and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with RS PS Case No. 161 of 2025.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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