

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80735 of 2025

Arising Out of PS. Case No.-148 Year-2025 Thana- DIGHALBANK District- Kishanganj

Anwar Alam S/O Ataur Rahman R/O Village- Shayam Tola, Ward No.-09,
P.O- Dghantola, P.S- Dighalbank, Distt.- Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Shah Nawaz Ali, Advocate

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

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

ORAL ORDER

2 15-12-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Dighal
Bank PS Case No. 148 of 2025 instituted for the offences under
Sections 8(c), 21(b) & 29 of the NDPS Act.

3. Prosecution allegation, in short, is that from the
possession of co-accused, there is recovery of 46.9 grams of
brown sugar like substance.

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 08.08.2025 and has got no criminal antecedent. There is no compliance of Sections 42 and 50 of the N.D.P.S. Act. Other co-accused has been granted bail by this Court vide order dated 09.12.2025, passed in Cr. Misc. No. 82070 of 2025.

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, claim based on parity 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 Dighal Bank PS Case No. 148 of 2025.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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