

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82491 of 2025

Arising Out of PS. Case No.-1065 Year-2025 Thana- AHIYAPUR District- Muzaffarpur

Dharmendra Kumar S/O Nanki Sahni R/o Vill- Sahbajpur, Old Zero Mile
Chowk, P.S.- Ahiyapur, Distt- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Jha, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 03-12-2025 Heard Mr. Mukesh Kumar Jha, learned counsel for
the petitioner and the State.

2. The petitioner is in custody in connection with Ahiyapur P.S. Case No. 1065 of 2025 corresponding to NDPS Case No. 135 of 2025 for the offence punishable under sections 8(c), 21(b), 29 of the NDPS Act.

3. As per the prosecution story, the informant alleged that during patrolling, the Police intercepted this petitioner and from his pocket, 14.73 gram smack was recovered/seized. According to him, it was handed over by one Mukesh Sahni for selling. This led to the FIR.

4. Learned counsel for the petitioner submits that he has no criminal antecedent, the Police wrongly implicated him, he is in custody since 01.08.2025 and in any case, the recovery



is below the commercial quantity of 250 gram.

5. Learned APP though opposes the prayer for bail concede that it is below the commercial quantity.

6. Taking into account the submissions of the parties as also that the petitioner has no criminal antecedent and is in custody since 01.08.2025, recovered quantity is below the commercial one, in that background, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Exclusive Special Judge Court-II (NDPS Act), Muzaffarpur in connection with Ahiyapur P.S. Case No. 1065 of 2025 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned



police station every fortnight for six months to mark his attendance and at the end of the period, the certificate be submitted to the Court;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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