

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83662 of 2025

Arising Out of PS. Case No.-67 Year-2025 Thana- GALGALIYA District- Kishanganj

Md. Shamshad Alam S/O- Late Md. Mehboob @ Mehbub Ansari R/V-
Darbhanga Tola, W.No-5, Ps- Galgalia Dist- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agarwal, Sr. Adv. Mr. Dhananjaya Nath Tiwari, Adv. Mr. Kumar Rajdeep, Adv.
For the Opposite Party/s :		Mr. Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 11-12-2025 Heard Mr. N.K. Agarwal, learned counsel for the
petitioner and Mr. Nand Kishore Prasad, learned APP for the
State.

2. The petitioner has prayed for bail in connection with
Special Case No. 45 of 2025 arising out of Galgalia P.S. Case No.
67 of 2025 registered for the offence punishable under Sections
8(c), 21(b), 29 of the N.D.P.S. Act.

3. The case of the prosecution is that altogether 50 gram
of *smack* was recovered from the possession of this petitioner.

4. Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has been falsely implicated in this case. He also
submits that nothing has been recovered from the possession of



this petitioner. While making the seizure, the police did not follow the provisions of Section 105 of the BNSS. It has also been submitted that the witnesses are also police personnel. It has further been submitted that the contraband that has been recovered from the possession of this petitioner is though more than small quantity but is much less than a commercial quantity. Moreover, a statement has been made in para 3 of the petition that petitioner has no criminal antecedent and is languishing in judicial custody since 08.08.2025.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Special Judge, (NDPS Act), Kishanganj in connection with Special Case No. 45 of 2025 arising out of Galgalia P.S. Case No. 67 of 2025.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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