

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86390 of 2025

Arising Out of PS. Case No.-441 Year-2024 Thana- RAXAUL District- East Champaran

Faiyaj Khan @ Md. Faiyaj Son of Yusuf Khan @ Md. yusuf Resident of
Village - Gandhi Nagar, Ward No. 09, P.S. - Raxaul, District - East
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Jai Narain Thakur, APP

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

ORAL ORDER

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

2. The petitioner seeks bail in connection with Raxaul
P.S. Case No. 441 of 2024 instituted for the offence under
Sections 8(c), 20(B)(ii)(c), 21(b), 22(c) & 29 of the NDPS Act.

3. As per prosecution case, 1.590 Kg of charas and
100 gram of brown sugar have been recovered from outside the
hut.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 13-08-2025. Petitioner
bears three criminal antecedents, as per disclosure made in
paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's



counsel that petitioner has been falsely implicated in the present case. Name of the petitioner has surfaced in the case on the basis of confessional statement of co-accused, namely, Raja Hussain. Nothing has been recovered from the possession of the petitioner. Learned counsel for the petitioner mainly submits that co-accused, namely, Tunna Kumar having similar allegation has been granted bail by this Court vide order dated 18-09-2025, passed in Cr. Misc. No. 41835 of 2025.

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

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and claim based on parity, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail, ***after framing of charge, if not already framed***, 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 Raxaul P.S. Case No. 441 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date



fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

U		T	
---	--	---	--

