

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.406 of 2025

Arising Out of PS. Case No.-91 Year-2024 Thana- BAIRGACHHAI District- Araria

Sakeeb Alam Son of Ashique @ Ashik Resident of Village - Dehti, Marar Bhag, Ward No.12, P.S. - Palasi, District - 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. Aditya Narayan Singh-1, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 05-02-2025 Heard Mr. Gopal Kumar Jha, learned counsel for the petitioner and Mr. Aditya Narayan Singh-1, learned APP for the State.

2. Petitioner seeks bail, who is in custody since 13.10.2024, in connection with Bairstachhi P.S. Case No. 91 of 2024, F.I.R. dated 12.10.2024 registered for the offences punishable under Sections 21(b)/22/23 of the N.D.P.S. Act.

3. The case relates to recovery of 3.900 litres Eskuf Syrup.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely implicated in the present case. He further submits that from perusal of the F.I.R. it appears that altogether 39 bottles of Eskuf Syrup each bottle containing 100 ML total 3.900 litres has been



recovered from the motorcycle of the petitioner. Learned counsel for the petitioner further submits that in fact nothing has been recovered from the conscious possession of the petitioner rather the police has planted the same and recovery has been shown from the motorcycle in question and without FSL report the prosecution has filed the case under N.D.P.S. Act. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 13.10.2024.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned District & Sessions Judge, Araria in connection with Bairagachhi P.S. Case No. 91 of 2024, subject to the following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and



on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Ibrar//-

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

