

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3391 of 2026

Arising Out of PS. Case No.-54 Year-2025 Thana- KISHANGAANJ RAIL P.S. District-
Katihar

=====

Aslam S/O Farid Bux R/O Khagra, PS - Kishanganj, Distt- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Advocate
For the Opposite Party/s : Mr. Murli Dhar, APP

=====

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 25-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in a case registered for
the offence punishable under Sections 8(c) and 21(b) of the
NDPS Act.

3. As per the prosecution case, it is alleged that
204.73 grams of brown sugar has been recovered from the
possession of the petitioner.

4. Learned counsel for the petitioner submits that
the recovery of contraband made from the petitioner is less
than commercial quantity and there is no independent witness
to the seizure list and the provisions of Section 50 of the NDPS
Act have not been complied with. The petitioner is in custody
since 11.11.2025 with no criminal antecedent.



5. Learned APP for the State opposed the prayer for grant of bail on the ground that the recovery from the petitioner is very near to commercial quantity which is 204.73 gram of brown sugar and only charge-sheet has been submitted as of now and further, the FSL report also confirms the narcotic.

6. Taking into consideration the facts and circumstances and considering the fact that the recovery of contraband is close to commercial quantity and the petitioner is in custody since 11.11.2025, this Court is not inclined to grant the privilege of bail to the petitioner at this stage. Accordingly, the prayer for bail of the petitioner is hereby rejected in connection with Kishanganj Rail P.S. Case No.54 of 2025.

7. However, if substantial progress is not made in the case within reasonable frame of time, the petitioner may renew his prayer for bail.

(Soni Shrivastava, J)

anand/-

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

