

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1646 of 2026

Arising Out of PS. Case No.-532 Year-2025 Thana- PURNEA SADAR District- Purnia

Md. Habib Son of Late Amzad Ali @ Amjad Ali Resident of Village - Paika
Gola Kamalpur Ranipatra, P.S.- Mufassil, District - Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate
For the Opposite Party/s : Mr. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

4 18-03-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with
Sadar P.S. Case No. 532 of 2025 registered for the offence
punishable under Sections 8(c), 21(b) of the N.D.P.S. Act.

3. The case of the prosecution, in short, is that from the
possession of this petitioner, altogether 13.20 grams of *smack* like
contraband was recovered.

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. The witnesses of the seizure list are police
personnel and the police has not complied with Section 105 of the
BNSS while making the seizure. He further submits that though



the recovery of alleged contraband is more than small quantity but is much less than commercial quantity. He further submits that similarly situated co-accused namely, Dolly Kumari from whose possession, 15.65 gram of *smack* like contraband was recovered has been granted bail by this court vide Cr. Misc. No. 4628 of 2026. The case of this petitioner stands on similar footing. Moreover, a statement has been made in para 3 of the petition that petitioner has no criminal antecedent and he is languishing in judicial custody since 23.10.2025.

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), Purnea in connection with Sadar P.S. Case No. 532 of 2025.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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