

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2465 of 2026

Arising Out of PS. Case No.-187 Year-2025 Thana- R S P.S. District- Araria

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1. Mahboob S/o Late Shahbuddin Resident of village - Rajokhar, ward no. 5, P.S.- R.S., Distt.- Araria
 2. Md. Rashid @ Rasid S/o Md. Mojahid Ansari Resident of village - Rajokhar, ward no. 5, P.S.- R.S., Distt.- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh, Adv.

For the Opposite Party/s : Mr. Mithlesh Kumar Khare, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 21-01-2026 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with R.S. P.S. case No. 187 of 2025 instituted for the offences under Sections 8(c), 21(b) of the N.D.P.S. Act.

3. Prosecution case, in short, is that 30 small packets of Smack, weighing about 7 grams has been recovered in this case.

4. Learned counsel for the petitioners submitted that the petitioners have falsely been implicated in the present case. Charge-sheet has been submitted in this case. Petitioners are in custody since 10.10.2025 and have no criminal antecedent.



There is no allegation of tampering of witnesses alleged against the petitioners. No incriminating material has been recovered from the conscious possession of the petitioners. The recovered contraband is below commercial quantity, and hence, Section 37 of the N.D.P.S. Act is not applicable in the present case. There is no compliance of Section 42 and 50 of the N.D.P.S. Act.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case, and the recovered contraband being less than the commercial quantity as also the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with R.S. P.S. case No. 187 of 2025.

(Rudra Prakash Mishra, J)

Siddharth Soni/-

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