

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13688 of 2026

Arising Out of PS. Case No.-62 Year-2021 Thana- MADHUBAN District- East Champaran

Md. Rashid @ Rashid @ David @ Dharmvir, S/o- Md. Afzar @ Akbar @
Md. Azakar, R/v- Thikahi, PS- Hathaudhi, Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Smiti Bharti, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 12-03-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with Madhuban P.S. Case No. 62 of 2021 registered for the offence punishable under Sections 20(b)(ii)(C) and 29 of N.D.P.S. Act, Section 399/34, 402/34 and 414/34 of the Indian Penal Code and Sections 25(1-b)a, 26 and 35 of the Arms Act.

3. The case of the prosecution, in short, is that on secret information, police reached near Saraiya bridge where 7-8 persons were standing along with four bikes. They started fleeing away. However, one of them, namely, Sachin Kumar Singh was apprehended and from his possession, one country made pistol, mobile, cash of Rs. 80,000/- and 1.080 Kg. of charas were 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. His name has surfaced in the statement of apprehended accused Sachin Kumar Singh who has disclosed that petitioner is his associate. It has further been submitted that as the petitioner is having criminal antecedent of twenty cases, he was remanded in this case from Dhaka P.S. Case No. 242 of 2023. It has also been submitted that nothing has been recovered from the possession of this petitioner. He has been framed in this case only on the basis of his antecedents. He is languishing in judicial custody since 30.09.2024.

5. Learned APP appearing for the State has vehemently opposed the application for bail and has submitted that petitioner is having criminal antecedent of twenty cases.

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 Exclusive Special Court-I, N.D.P.S. Act, East Champaran,



Motihari in connection with Madhuban P.S. Case No. 62 of 2021 **with the condition that the petitioner shall cooperate in the trial and shall mark his attendance weekly at Hathauri P.S.**

(Ashok Kumar Pandey, J)

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