

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15054 of 2026

Arising Out of PS. Case No.-496 Year-2025 Thana- BAISI District- Purnia

Masoom Raja @ Md Rashid Alam Son of Salim Shekh @ Rojid Alam
Resident Of Village- Geruaa, Ps- Amour, Dist- Purnia

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pawan Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 10-03-2026 Heard Mr.Pawan Kumar Singh, learned counsel for
the petitioner and Mr.Binod Kumar, learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
14.12.2025 in connection with Baisi P.S. Case No. 496 of
2025, F.I.R. dated 13.12.2025 registered for the offence
punishable under Section 8(c) & 21(b) of N.D.P.S.Act, 1985.

3. Recovery is of 105.24 Gm of Brown Sugar/Smack.

4. Learned counsel appearing for the petitioner
submits that the petitioner has clean antecedent. The allegation
as alleged in the FIR is false and fabricated and the petitioner
has not committed any offence as alleged in the FIR. It appears
from the FIR as well as seizure list that altogether 105.24 Gm of
Brown Sugar/Smack was recovered from possession of co-
accused persons, namely, Papai Ghosh and Nawab Ali and they



have disclosed the name of the petitioner that they delivered the same to the petitioner. Learned counsel for the petitioner submits that except the confessional statement of the petitioner, no other cogent material has come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence, apart from that, the recovered contraband is less than the commercial quantity. Hence, there is no embargo under Section 37 of the N.D.P.S. Act for grant of bail to the petitioner and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 14.12.2025.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts, petitioner has clean antecedent, nothing has been recovered from conscious possession of the petitioner rather the recovery has been made from from possession of co-accused person and on the basis of the confessional statement of co-accused persons, name of the petitioner has been transpired, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Principal District and Sessions Judge-



cum-Special Judge (NDPS Act), Purnea in connection with
Baisi P.S. Case No. 496 of 2025, with the following conditions:-

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

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

(III) 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 antecedent, 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)

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