

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18366 of 2026

Arising Out of PS. Case No.-2 Year-2026 Thana- BIKRAMGANJ District- Rohtas

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Guddu @ Irsad Farooqui S/O Samsuddin Farooqui @ Shamshuddin Faruki
R/O Village- Farooqui Mohalla, Bikramganj, Ward No.11- P.S- Bikramganj,
Dist- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Babu Nandan Prasad, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 24-03-2026 Heard Mr. Babu Nandan Prasad, learned counsel for

the petitioner and Mr. Anil Kumar, learned Additional Public

Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
03.01.2026 in connection with Bikramganj P.S. Case No. 02 of
2026, F.I.R. dated 02.01.2026 for the offences punishable under
Sections 8(c) and 21(b) of the N.D.P.S. Act.

3. Recovery is of 8 *puriya* of heroine from the
petitioner and 19.5 grams of heroine from the co-accused
person.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case. He further submits that it appears



from the F.I.R. that 8 *puriya* of heroine like substance has been recovered from the possession of the petitioner and on the basis of the disclosure made by the petitioner another 19.5 grams of heroine has been recovered from the co-accused, Akbar Farooqui.. He further submits that there is non-compliance of the mandatory provision of Sections 42 and 50 of the N.D.P.S. Act and it appears 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. The petitioner is in custody since 03.01.2026.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances that the recovered contraband is less than the commercial quantity, there is non-compliance of Section 42 and 50 of the NDPS Act and the petitioner has clean antecedent, 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 the learned Sessions Judge, Rohtas at Sasaram in connection with Bikramganj P.S. Case No. 02 of 2026, subject to 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 absence on two consecutive dates without sufficient reason, his 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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