

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20189 of 2026

Arising Out of PS. Case No.-167 Year-2025 Thana- BAIRIYA District- West Champaran

Md. Ali @ Aftab Alam S/o Late Mumtaj Miyan Resident of Village-
Vishambharpur, P.S.- Bettiah Muffasil, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sitesh Kashyap, Advocate

For the Opposite Party/s : Mr. Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 10-04-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with Bairiya P.S. Case No. 167 of 2025 registered for the offence punishable under Sections 310(4), 310(5) of the B.N.S., and Sections 25(1-b)a, 26, 35 of the Arms Act and Sections 8, 20(b)(ii) (C) of the N.D.P.S. Act.

3. The case of the prosecution, in short, is that from the possession of the petitioner, one country made pistol and one live cartridge 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. He also submits that no contraband was recovered from the possession of the petitioner. He further submits that save and except the recovery of one country made pistol and one live cartridge, there is nothing



against him. He further submits that 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 similarly situated co-accused persons namely, Ranjan Singh and Shaiuddin have been granted bail by this court vide Cr. Misc. Nos. 80875 of 2025 and 74137 of 2025 respectively. Moreover, the petitioner is languishing in judicial custody since 02.05.2025.

5. The application for bail is opposed by learned APP for the State and submits that the petitioner is having criminal antecedent of three 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 Judge, NDPS, Bettiah, West Champaran in connection with Bairiya P.S. Case No. 167 of 2025.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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