

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24127 of 2026

Arising Out of PS. Case No.-373 Year-2025 Thana- PURNEA SADAR District- Purnia

Md. Ali Kousar @ Sabdar @ Sabdal, Son of Late Md. Sakib @ Sakil @
Gueya, Resident Of Village- Istama Tola, Ward no. 04, Ps- Town, Dist- Araria
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nishant Kumar Sinha, Adv.
For the Opposite Party/s : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 16-04-2026 Heard learned counsel for the petitioner and
learned A.P.P for the State.

2. The petitioner seeks bail in connection with
Special (N.D.P.S. Act) Case No. 13 of 2026, CIS No. 13 of
2026 arising out of Sadar P.S. Case No. 373 of 2025 dated
23.07.2025 registered for the offence punishable under
Sections 8(c) and 21(c) of the N.D.P.S. Act, 1985.

3. The allegation is of recovery of 2136.60 grams
of smack like substance from the possession of two accused
persons.

4. Learned counsel for the petitioner submits that
the petitioner is innocent and has been falsely implicated in
this case. It is submitted that nothing has been recovered



from conscious possession of the petitioner, rather, the said illicit smack like substance was recovered from apprehended accused persons. Only on the disclosure made by the two accused persons that the said article was to be delivered to the said petitioner, the petitioner has been made accused in this case. The petitioner is in custody since 22.01.2026, having no criminal antecedent and charge-sheet has been submitted in the case.

5. Learned A.P.P for the State opposes the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge (N.D.P.S. Act), Purnia in connection with Special (N.D.P.S. Act) Case No. 13 of 2026, CIS No. 13 of 2026 arising out of Sadar P.S. Case No. 373 of 2025, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on



two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. 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.

5. The petitioner within two weeks of his release from custody shall appear before the S.H.O. of his local area alongwith a copy of this order and shall appear every fortnightly to mark his attendance till the framing of charge in the trial court.

(Khatim Reza, J)

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