

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32433 of 2026

Arising Out of PS. Case No.-98 Year-2026 Thana- BAISI District- Purnia

Ali Hassan @ Ali Hasan Son of Md. Taiyab @ Md. Tayb Resident of Village -
Budhiya Gola, Salim Tola Ward No. 16, P.S.- Sarsi, Dist.- Purnea, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Advocate. Mr. Pushpendra Kumar Singh, Advocate. Mrs. Divya Bharti, Advocate.
For the Opposite Party/s :		Mr. Lalan Kumar, Advocate.

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 06-07-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail registered for the
offence punishable under Sections 8(c) and 21(c) of the N.D.P.S.
Act.

3. The case of the prosecution, in short, is that the
police were engaged in vehicle checking when one person
attempted to flee from a tempo, he was apprehended and was
identified as the petitioner. It is further alleged that from the
jacket of this petitioner, altogether 307.05 grams of brown
sugar, kept in two plastic packets, was recovered from his
possession.

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 further submits that from perusal of the FIR itself, it is clear that the alleged contraband was weighed along with the plastic bag and that the weight of the contraband alone was not ascertained by the police. Learned counsel further submits that the mandatory provisions of Section 50 of the NDPS Act have not been complied with. Even the FIR contains no specific averment regarding compliance with the requirements of Section 50 of the NDPS Act. He further submits that the witnesses to the seizure list are police personnel and that the police have also failed to comply with the mandatory requirements of Section 105 of the BNSS while making the seizure. Moreover, a statement has been made in para 3 of the petition that petitioner has no criminal antecedent and he is languishing in judicial custody since 11.03.2026.

5. The application for bail is opposed by learned APP for the State.

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 Special
Judge (N.D.P.S. Act), Purnea in connection with Baisi P.S. Case
No. 98 of 2026.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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