

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30775 of 2026

Arising Out of PS. Case No.-142 Year-2026 Thana- PURNEA SADAR District- Purnia

Md Sajid @ Karan @ Md Sabir S/O Md Jumman @ Jugana Rishi R/O
Village- Kabristan Tola Zero Mile, ward no. 36, P.S.- Sadar , District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-05-2026 Heard Mr.Ram Prawesh Kumar, learned counsel for
the petitioner and Mr.Parmanand Kumar, learned A.P.P. for the
State.

2. The petitioner seeks bail, who is in custody since
15.03.2026 in connection with Sadar P.S. Case No. 142 of
2026, F.I.R. dated 15.03.2026 registered for the offence
punishable under Section 8 (c)/21 (b) of the Narcotic Drugs and
Psychotropic Substances Act.

3. Recovery is of 19.52 Gm of Smack/Brown Sugar
and Cash of Rs. 8050/-.

4. Learned counsel appearing for the petitioner
submits that the allegation as alleged in the FIR is false and
fabricated and the petitioner has not committed any offence as
alleged in the FIR and there is non-compliance of the mandatory



provisions of the NDPS Act and it appears from the FIR that that 112 small Purias containing total weight 19.52 Gm of Smack/Brown Sugar and Cash of Rs. 8050/- was recovered from possession of the petitioner. Learned counsel for the petitioner submits that the recovered contraband is less than the commercial quantity but more than the small quantity and apart from that, Rs. 8050/- was also recovered from possession of the petitioner. Learned counsel for the petitioner submits 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 petitioner is in custody since 15.03.2026.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries two more cases other than the present one pertaining to Excise matter but fairly submits that the petitioner is on bail in both the cases, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid facts, 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 Special Judge (N.D.P.S.



ACT), Purnea in connection with Sadar P.S. Case No. 142 of 2026, 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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