

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31322 of 2026

Arising Out of PS. Case No.-299 Year-2025 Thana- KARJA District- Muzaffarpur

Md. Sajid S/o Md. Shabir R/o Vill- Serukahi, P.S.- Kanti, District-
Muzaffarpur, Bihar

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vibhuti Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 07-05-2026 Heard Mr. Vibhuti Kumar, learned counsel for the

petitioner and Mr. Pradeep Narain Kumar, learned APP for the

State.

2. Petitioner seeks bail, who is in custody since
22.10.2025, in connection with Karja P.S. Case No. 299 of 2025,
F.I.R. dated 21.10.2025 registered for the offences punishable
under Sections 317(2), 317(5), 3(5) of the B.N.S., Sections 8
(c), 21 of N.D.P.S. Act and Section 25(1-b)a, 26, 35 of the Arms
Act.

3. The case relates to recovery of 6.84 grams of
Smack as well as mobile phone from the possession of the
petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the



present case. He further submits that it appears from the F.I.R. as well as seizure list that arms has been recovered from the possession of co-accused person, namely, Karan Kumar and from the possession of the petitioner 15 puriyas containing a Smack like substance weighing 6.840 grams along with mobile phone were also recovered. He further submits that the recovered contraband is less than the commercial quantity but more than the small quantity, so there is no embargo under Section 37 of the N.D.P.S. Act to enlarge the petitioner on bail. He further submits that co-accused person, namely, Amar Kumar has been granted bail by this Court vide order dated 27.04.2026 passed in Cr. Misc. No. 27990 of 2026 and the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 22.10.2025.

5. Learned APP for the State, on the other hand, vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries two more cases other than the present one but fairly submits on the basis of paragraph-3 of the bail petition that the petitioner is on bail in the pending matters.

6. Considering the facts and circumstances of the case and the fact that the recovered contraband is less than the commercial quantity but more than the small quantity as well as co-accused person has been granted bail by this Court, let the



petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Exclusive Special Court-I (N.D.P.S.), Muzaffarpur in connection with Karja P.S. Case No. 299 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 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.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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.

(3) 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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