

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45089 of 2026

Arising Out of PS. Case No.-113 Year-2026 Thana- MANIHARI District- Katihar

Murtaza Ali @ Murteza Ali S/O Late Abdul Khair Resident of Village-
Simaria, Molvi Tola, P.S.- Korha, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md Musowir, Advocate

For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 14-07-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Manihari P.S. Case No. 113 of 2026 instituted for the offences
under Sections 8(c), 21(c) of the N.D.P.S. Act.

3. Prosecution case, in short, is that total 507 grams of
smack has been recovered in this case.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Petitioner is in custody since 20.04.2026 and has no criminal
antecedent. There is no allegation of tampering of witnesses
alleged against the petitioner. No incriminating material has
been recovered from the conscious possession of the petitioner



rather the recovery of contraband has been made from the co-accused Md. Fariyad. Learned counsel further contended that the vehicle in question also belongs to the co-accused Md. Fariyad and, as a matter of fact, the petitioner was hired by the said co-accused for driving his vehicle but the vehicle was intercepted by the police party and smack was recovered from the said co-accused and consequently, this petitioner was also implicated in the present case. Petitioner has no concern with the alleged recovery. There is no compliance of Sections 42 and 50 of the N.D.P.S. Act.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Manihari P.S. Case No. 113 of 2026, subject to the following conditions:

(I) One of the bailors shall be the petitioner's own or a close family member.



(II) The petitioner shall appear on each and every date fixed during the trial and shall not remain absent on two consecutive dates without sufficient cause.

(III) The petitioner shall not tamper with the prosecution evidence or influence/intimidate any witness during the course of trial.

In case of violation of any of the aforesaid conditions, the Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Alok Verma/-

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