

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45810 of 2026

Arising Out of PS. Case No.-63 Year-2025 Thana- Madhusudanpur District- Bhagalpur

Md. Minhaj Alam S/o Md. Abdus Samad Resident of village - Harna Bujurg,
P.s.- Rajoun, Distt.- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md.Najmul Hodda, Advocate

For the Opposite Party/s : Mr. Ramchandra Sahni, APP

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

ORAL ORDER

2 20-07-2026 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Madhusudanpur P.S. Case No. 63 of 2025 instituted for the offence under Sections 20 & 22 of the NDPS Act. Earlier vide order dated 21.01.2026, passed in Cr. Misc. No. 50509 of 2025, anticipatory bail of the petitioner was rejected by a Co-ordinate Bench of this Court.

3. The police in course of patrolling, conducted a raid and recovered a motorcycle parked nearby a road. The persons who were assembled there succeeded in fleeing away. In course of search, total 166.101 Kg ganja like substance was found, which was kept over the motorcycle. Motorcycle was later



found in the name of co-accused Md. Imran. In the aforesaid premise, Md Imran was caught by the police and his confessional statement was recorded, where the name of the petitioner has surfaced.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 17.02.2026. Petitioner bears no criminal antecedent/s, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Petitioner was not arrested from the spot. Name of the petitioner has surfaced in this case on the disclosure made by co-accused namely Md. Imran, who is the owner of the motorcycle, from which there is recovery of 166.101 Kg of Ganja. It is the submission of the petitioner's counsel that nothing has been recovered from the conscious or constructive possession of the petitioner and the petitioner has no concern with the same. It is submitted that there is no compliance of Sections 42 and 50 of the NDPS Act. Other co-accused has been granted anticipatory bail by a Co-ordinate Bench of this Court vide order dated 26.02.2026, passed in Cr. Misc. No. 45656 of 2025.



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

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and claim based on parity, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Madhusudanpur P.S. Case No. 63 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

U		T	
---	--	---	--

