

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71298 of 2025

Arising Out of PS. Case No.-70 Year-2025 Thana- KATIHAR GRP CASE District- Katihar

Suraj Hadi @ Suraj Hari, S/o Late Krishna Hadi @ Late Krishna Hari R/o
Mohalla - Khokhsi Bag, Ward No.42, P.S.- Sadar, District- Purnea
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 21-01-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Katihar
Rail P.S. Case No. 70 of 2025 dated 06.04.2025, instituted for the
offence punishable under Sections 123, 62, 317(5), 317(4), 3(5) of
Bhartiya Nyaya Sanhita, 2023 and Section 8(c) and 22(a) of
Narcotic Drugs and Psychotropic Substances Act, 1985 and
Sections 137, 147 of Railway Act.

3. The allegation is of recovery of total 15 tablets of
Lorazepam and Ativan containing 2 mg in each tablet and a mobile
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 this
case. Learned counsel for the petitioner submits that nothing has



been recovered from the conscious possession of the petitioner. The police did not follow Sections 42 and 50 of N.D.P.S. Act as well as Section 103(4) of B.N.S.S., 2023. The recovery of the seized articles comes within the intermediary quantity and not comes in the purview of commercial quantity. Lastly, it has been submitted that the petitioner is in custody since 07.04.2025 having one criminal case against him. Charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge, Katihar in Katihar Rail P.S. Case No. 70 of 2025, as well as 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 on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. One of the bailors will be his own blood relation,



preferably father, mother, brother, sister and or his wife.

3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. 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.

5. The petitioner within two weeks after his release from custody shall appear before the local police station along with a copy of this order and thereafter shall appear in the first week of every month to mark his attendance till the framing of charge in the trial court.

(Khatim Reza, J)

premchand/-

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

