

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82475 of 2025

Arising Out of PS. Case No.-524 Year-2023 Thana- ARARIA District- Araria

Md. Parvej @ Md. Parvej Alam @ Md. Parwez Alam, S/o- Late Md. Abid @
Abid Hussain, Resident of Village- Bansbari, Ward No-7, P.S- Araria,
District-Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 11-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Araria P.S. Case No. 524 of 2023, registered for the alleged offence under Sections 21, 22 and 23 of the NDPS Act.

3. As per prosecution case, a secret informant was received about storage of intoxicating substance at the house of co-accused Md. Kamran and 5-6 other persons who were involved in the trade of narcotic substance. A raid was conducted and the co-accused Md. Naushad Alam was apprehended while trying to flee away from the spot and the co-accused Md. Kamran fled away during the raid. On search of



the house of the co-accused Md. Kamran, 727.7 liters codeine containing cough syrup has been seized. The name of the petitioner came up in the confessional statement of apprehended co-accused as one of his associates.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from the person/possession of this petitioner, who has been named in this case merely on suspicion on the basis of confessional statement of co-accused Md. Naushad Alam. But such statement has no legal sanctity. A number of co-accused persons have been granted bail by different Co-ordinate Benches of this Court vide orders dated 28.02.2024, 29.02.2024, 22.04.2024 and 13.12.2024 passed in Cr. Misc. Nos.54588/2023, 79778/2023, 74727/2023 and 84280/2024, respectively. The case of the petitioner is on much better footing than the co-accused Md. Kamran from whose house recovery has been made. The petitioner is in custody since 30.08.2025 and charge sheet has been submitted. The petitioner is having antecedent of one case and he is on bail in that case.

5. Learned APP vehemently opposes the submission made on behalf the petitioner. The learned APP submits that



commercial quantity of contraband has been recovered from the house of co-accused and the petitioner and others actively helped in his trade of narcotic drugs and psychotropic substance.

6. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the fact that no recovery has been shown from this petitioner and further considering the doubtful nature of allegation against the petitioner and further considering the grant of bail to co-accused persons and also considering the submission of charge sheet and period of custody of the petitioner, he is directed to 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 District & Sessions Judge-IV, Araria/court concerned, in connection with Araria P.S. Case No. 524 of 2023, subject to the conditions mentioned in Section 480 (3) of BNSS and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail,



the bail bond of the petitioner will be liable to
be cancelled by the court concerned.

(Arun Kumar Jha, J)

V.K.Pandey/-

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