

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86127 of 2025

Arising Out of PS. Case No.-500 Year-2025 Thana- FORBESGANJ District- Araria

Md. Irshad Son of Md. Mustakim @ Mustakin Resident of village - Rampur
South, Ward No.- 03, P.S.- Forbesganj, Dist.- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh, Adv.

For the Opposite Party/s : Mr. Suman Kumari Singh, APP.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 09-01-2026 Heard Mr. Ramesh Kumar Singh, learned counsel
for the petitioner and Mr. Suman Kumari Singh, learned APP for
the State.

2. Petitioner seeks regular bail in connection with
Forbesganj P.S. Case No. 500 of 2025 dated 24.09.2025
registered for the offence punishable under sections 8 (c) &
21(b) of the Narcotic Drugs & Psychotropic Substances Act.

3. The main submissions advanced by petitioner's
counsel are that the recovery of the alleged narcotic contraband
has been falsely shown from the possession of the petitioner
and the mandatory provisions particularly of sections 42, 50 and
57 of the NDPS Act were not followed by the police party and
there is no independent witness of the search and seizure of the
alleged contraband, the investigation against the petitioner has
been completed and the alleged contraband comes under the



purview of intermediate quantity. It is lastly submitted that the petitioner has been languishing in jail since 25.09.2025, though against the petitioner there are criminal antecedents of two cases but he is on bail in both the cases.

4. Learned APP for the State has opposed the prayer of the petitioner.

5. In the facts and circumstances of the case as well as considering the above submissions and averments made in the petition and the petitioner's custody period, coupled with the fact that main prosecution witnesses to be examined in the trial of the petitioner are police personnel, so the release of the petitioner on bail at this stage will not affect the prosecution in any manner, this court is inclined to release the petitioner on bail. Accordingly, let the petitioner named-above be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the court concerned in connection with Forbesganj P.S. Case No. 500 of 2025.

(Shailendra Singh, J)

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