

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.85908 of 2025**

Arising Out of PS. Case No.-431 Year-2025 Thana- ARARIA District- Araria

Md. Noor Alam Son of Md. Iliyas Resident of Village - Muradbag, Ward No.-  
1, P.S.- Kasba, District - Purnea.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Raj Kumar, Adv.

For the Opposite Party/s : Mr.Ram Anurag Singh,APP

**CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY**  
**ORAL ORDER**

2      09-01-2026                      Heard learned counsel for the petitioner and learned  
A.P.P for the State.

2. The petitioner seeks bail in connection with Araria  
P.S. Case No. 431 of 2025 dated 15.10.2025 registered for the  
offence(s) punishable under Section(s) 8(c) and 21(b) of the  
N.D.P.S. Act.

3. As per the prosecution case, the informant has  
alleged that during patrolling, one car was intercepted and four  
persons were apprehended and upon inquiry and on search, 100  
gms. of smack was recovered.

4. Learned counsel for the petitioner submits that the  
petitioner is innocent and has falsely been implicated in this



case. It has next been submitted that no recovery has been made from the conscious possession of the petitioner. Learned counsel has further been submitted that from perusal of the seizure list, it is evident that admittedly the petitioner was apprehended on 13.10.2025 but the F.I.R. was finally registered on 15.10.2025. It has next been submitted that the quantity falls within the intermediate category and thus the rigors of section 37 of the N.D.P.S. Act is not attracted in the present case. It has lastly been submitted that the petitioner has clean antecedent and he is in custody since 16.10.2025.

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

6. Considering the facts and circumstances of the case, the petitioner is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Araria in connection with Araria P.S. Case No. 431 of 2025, subject to the following terms and conditions :-

(i) One of the bailors shall be a close relative of the petitioner.

(ii) The petitioner shall remain physically present



before the concerned Court on each and every date of the trial and shall cooperate in the investigation.

(iii) In case of absence on two 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.

(iv) The trial court shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that the petitioner has concealed his criminal antecedents, the trial court shall take necessary steps for cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the above mentioned order shall not be delayed for purpose of or in the name of verification.

(v) In view of the antecedents of the petitioner, the petitioner is directed to appear before the Superintendent of Police, Araria, within fifteen (15) days of his release with a copy of this order and every two weeks thereafter for the next nine months. The conduct of the petitioner will be kept under watch in this period by the concerned Superintendent of Police and if it is found wanting in any respect, a report shall be made to the Court concerned by him to initiate a proceeding for cancellation of bail of the petitioner for reasons of misuse of bail. After reporting to the Superintendent of Police, a certificate will be filed by the petitioner before the Court concerned.



7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

8. The application stands allowed.

(Sourendra Pandey, J)

Gautam/-

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