

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90462 of 2025

Arising Out of PS. Case No.-511 Year-2025 Thana- PURNEA SADAR District- Purnia

Md. Arif, S/o- Badruddin @ Md. Badruddin Resident of Telaniya Rahika PS-
Dagarua District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md Fazle Karim, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 20-02-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner apprehends his arrest in connection with
Sadar P.S. Case No. 511 of 2025 registered for the offences
under Sections 8(C) and 21(b) of the Narcotic Drugs and
Psychotropic Substances Act, 1985.

3. As per the prosecution case, the police intercepted
one person on a motorcycle and apprehended him, who
disclosed his name as Raju Kumar and on search total 44.41
grams of smack/brown sugar was recovered. It has further been
alleged that the apprehended person disclosed that he had
brought such smack from Md. Arif (petitioner).

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case merely
because the police is adamant on implicating the co-villagers of



one Md. Saddam, who is indulged in such activities. It has further been submitted that the petitioner had earlier been implicated in one similar nature of case being Sadar P.S. Case No. 71 of 2025. It has next been submitted that till date no raid has been conducted at the house of the petitioner and no incriminating article has been recovered as yet. It has also been submitted that there is no independent witness to such seizure. It has lastly been submitted that the petitioner has one criminal antecedent of similar nature.

5. Learned APP for the State has opposed the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioner above named be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor court in connection with Sadar P.S. Case No. 511 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of B.N.S.S.



as well as subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be his close relative.
- (ii) The petitioner shall remain physically present in Court on each date of the trial.
- (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) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.
- (v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. Accordingly, the prayer for anticipatory bail is allowed.

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

(Sourendra Pandey, J)

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