

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1883 of 2026

Arising Out of PS. Case No.-1531 Year-2025 Thana- PHULWARISHARIF District- Patna

Md. Shahzad S/o late Md. Yasin R/o Thkavai Biharshaqirif, P.S.- Biharsharif,
District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Faiz Naseem, Advocate
For the Opposite Party/s : Mr. Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 19-01-2026 Heard Mr. Faiz Naseem, learned counsel for the
petitioner and Mr. Madhura Nand Jha, learned Additional Public
Prosecutor for the State.

2. The petitioner seeks bail, who is in custody since
17.09.2025 in connection with Phulwarisharif P.S. Case No.
1531 of 2025, F.I.R. dated 16.09.2025 for the offences
punishable under Sections 8, 20(b)(ii)(B) of the N.D.P.S. Act.

3. According to prosecution case, total 1.10 Kg. of
ganja was recovered from the possession of the petitioner.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and the allegation as alleged in
the F.I.R. is false and fabricated and the petitioner has not
committed any offence as alleged in the F.I.R. Nothing has been
recovered from the conscious possession of the petitioner. From
bare perusal of seizure list, altogether 1.10 Kg. of ganja was



recovered from possession of petitioner but the same is less than the commercial quantity. There is non-compliance of section 50 of N.D.P.S. Act. He further submits that the police after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 17.09.2025.

5. Learned APP for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, petitioner has clean antecedent and the recovery of alleged contraband is less than the commercial quantity, let the petitioner, above named, 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 the learned Sessions Judge/Special Judge (NDPS), Patna in connection with Phulwari Sharif P.S. Case No. 1531 of 2025, with the following conditions:

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

ii. 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.

iii. And further condition that the 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.

(Rajesh Kumar Verma, J)

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