

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90983 of 2025

Arising Out of PS. Case No.-844 Year-2025 Thana- AHİYAPUR District- Muzaffarpur

Sanjay Ray @ Sanjay Rai Son of Ramadhar Ray Resident of Village/
Mohalla- Chainpur, P.S.- Katra, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nachiketa Jha, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 13-01-2026 Heard Mr.Nachiketa Jha, learned counsel for the

petitioner and Mr.Sanjay Kumar Sharma, learned A.P.P. for the

State.

2. The petitioner seeks bail, who is in custody since
19.06.2025 in connection with NDPS Case No. 117 of 2025,
arising out of Ahiyapur P.S.Case No.844/2025, F.I.R. dated
18.06.2025 registered for the offence punishable under Sections
318(4),338,336(3),3(5) of BNS, 2023 as well as Sections
8,21(b),25,29 of NDPS, Act.

3. Recovery is of 50 Puriya total 16.67 Gms of
Smack.

4. Learned counsel appearing for the petitioner
submits that the petitioner has falsely been implicated in the
present case merely on the ground that he was standing near the



place of occurrence. It appears from the FIR as well as the seizure list that no incriminating article has been recovered from possession of the petitioner rather the recovery has been made from co-accused person, namely, Sudha Kumari and altogether 16.67 Gms of Smack has been recovered from co-accused person, namely, Sudha Kumari and she has been granted bail by a Coordinate Bench of this Hon'ble Court vide order dated 19.11.2025 passed in Cr. Misc. No.78894 of 2025. The police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 19.06.2025.

5. Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case of similar nature other than the present one but fairly submits that the petitioner is on bail in the said case, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid facts, no incriminating article has been recovered from possession of the petitioner and co-accused person, namely, Sudha Kumari has been granted bail by a Coordinate Bench of this Hon'ble Court, 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 learned Special Judge,



NDPS Court No.-II, Muzaffarpur in connection with NDPS Case No. 117 of 2025, arising out of Ahiyapur P.S. Case No.844/2025, 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 his/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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