

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90382 of 2025

Arising Out of PS. Case No.-95 Year-2025 Thana- JOGBANI District- Araria

Md. Jawed Son of Md. Israjul Resident of Village- Dipol, Ward No. 16, P.S.-
Jobani, 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.Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 11-02-2026 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner seeks bail in connection with
Jogbani P.S. Case No. 95 of 2025 dated 27.08.2025 registered
for the offences punishable under Sections 8(c) and 21(b) of the
Narcotics Drugs & Psychotropic Substance Act.

3. As per the prosecution case, the police intercepted
a motorcycle and apprehended one person who disclosed his
name as Md. Jawed (petitioner) and on search, total 195.48 gm.
Smack was recovered from the motorcycle.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated only because he happens
to be the owner of the motorcycle. It has next been submitted
that admittedly the recovered quantity falls under the category



of intermediate category and therefore the rigors of Section 37 is not attracted in the present case. It has further been submitted that the petitioner has been made scapegoat as admittedly even as per the F.I.R., the said smack was purchased from the co-accused, Md. Kuddus. It has lastly been submitted that the petitioner has clean antecedent and he is in custody since 28.08.2025.

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 below where the case is pending/successor court in connection with Jogbani P.S. Case No. 95 of 2025, subject to the following terms and conditions :-

(i) One of the bailors will 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.

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)

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