

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34011 of 2025

Arising Out of PS. Case No.-184 Year-2025 Thana- Excise P.S. District- Banka

Md chand alam S/o Md izhar Resident of village- Makramdih, P.S.- Rajaun,
Dist- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Paritosh Parimal, Adv

For the Opposite Party/s : Mr. Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 29-05-2025 Heard learned Counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Banka (Excise) P.S. Case No. 184 of 2025 registered for the offences punishable under Sections 8, 21(c) and 25 of the N.D.P.S. Act.

3. As per the prosecution case, total 1.3 litres of illicit codeine cough syrup was recovered from the bag which was being carried by the petitioner.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that there is violation of provisions laid down under N.D.P.S. Act and the said recovered contraband is below the commercial quantity. It is lastly



submitted that the petitioner has no criminal antecedent and is in custody since 19.04.2025.

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

6. Considering the aforesaid submissions of the parties and also considering the period of custody, let the petitioner above-named, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Banka, in connection with Banka (Excise) P.S. Case No. 184 of 2025, subject to the following conditions:-

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

(ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.

(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 canceled by the Court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution will 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. The application stands allowed.

(Sourendra Pandey, J)

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