

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16487 of 2025

Arising Out of PS. Case No.-997 Year-2024 Thana- KATIHAR NAGAR District- Katihar

1. Md. Firoz Son of Jainul Abdul @ Jainul Resident of Village- Dalan Hathiyadira under Gram Panchayat Dighri (Dighrisalempur), ward no. 09, P.S.-Rautara, Block- Korha, District- Katihar.
2. Md. Allahamin @ Allahamin @ Allahuddin Son of Md. Nahsim Resident of Village- Dalan Hathiyadira under Gram Panchayat Dighri (Dighrisalempur), P.S.- Rautara, Block- Korha, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shekhar Kumar Singh, Adv.

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

4 20-06-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Katihar Town (Sahayak) P.S. Case No. 997 of 2024 dated 27.12.2024 registered for the offences punishable u/ss 8(c), 21(b), 22(b) of the N.D.P.S. Act.

3. As per the prosecution case, total 202.276 gm. Smack was recovered from the possession of the petitioners. Two motorcycles were also recovered from the place of occurrence.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. The seized contraband is less than the commercial quantity. Nothing has been recovered from the conscious possession of the



petitioners. The petitioners have no concern with the alleged recovery. The petitioners have clean antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 28.12.2024.

5. Learned A.P.P. for the State has opposed the bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioners above-named, are directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Katihar in connection with Katihar Town (Sahayak) P.S. Case No. 997 of 2024 with the condition :-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

(ii) 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.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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