

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31184 of 2025

Arising Out of PS. Case No.-25 Year-2025 Thana- KORHA District- Katihar

1. Shams Raaj S/o Late Md. Mohram R/o vill - Gaiyari, P.S.- Araria, Distt.- Araria
2. Aabedin @ Abdin S/o Md Majuddin R/o vill - Gaiyari, P.S.- Araria, Distt.- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md Ziaul Quamar, Advocate

For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 20-05-2025 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners have prayed for regular bail in a case registered for the offence punishable under sections 319(2), 318(2), 338, 336(3), 340(2) and 3(5) of the Bhartiya Nyaya Sanhita and Sections 21(c), 22(c), 25 and 29 of the NDPS Act.

3. The case of the prosecution is that from a pick-up, huge amount of contraband was recovered. The driver disclosed that two persons in a Swift Dezire Car are coming and he is working for them. The Swift Dezire car was intercepted and from that car, petitioners were apprehended.



They were identified as Shams Raaj and Aabedin.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. They have falsely been implicated in this case. Learned counsel for the petitioners has submitted that though the recovery is huge but the recovery is from pick-up which is clear from the seizure list. Though in the seizure list, the name of these petitioners is there but the seizure has been made from the pick-up of Mahindra company having Registration No. BR-01GP-2285. There is nothing except the statement of the driver that he was carrying the contraband for these petitioners. A statement has been made in para-3 of this petition that the petitioners have got no criminal antecedent. Moreover, they are languishing in judicial custody since 30.01.2025.

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

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Korha P.S. Case No. 25 of 2025 on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like



amount each to the satisfaction of learned Sessions Judge,
Katihar.

(Ashok Kumar Pandey, J)

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