

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82941 of 2025

Arising Out of PS. Case No.-198 Year-2025 Thana- KORHA District- Katihar

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1. Roshan Kumar Son of Jitendra Prasad Gupta R/o Gerbari Nahar, P.S. - Kodha, Dist. - Katihar.
 2. Sagar Kumar Son of Chhote Lal Rishi R/o Gerbari Nahar, Ward no. -05, P.S. - Korha, Dist. - Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Giri, Adv

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

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 10-12-2025 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 317(4), 317(5), 318(4), 338, 336(3), 3(5) of the B.N.S. and Section 8(c), 21(b) of the N.D.P.S.

3. The case of the prosecution, in short, is that, on 25.08.2025 at about 9:30 A.M., a motorcycle with three persons was intercepted by the informant and on being searched, approximately 130 gram of Brown Sugar was recovered from the pocket of one Md. Raza.

4. Learned counsel for the petitioners submits that the



petitioners are innocent and have committed no offence. It is further submitted that the petitioners have only taken lift by Md. Raza. It is next submitted that nothing has been recovered from the conscious possession of the petitioners rather the recovery has been made from the possession of the co-accused Md. Raza. Petitioners have clean antecedent as stated in para 3 of the bail petition. Moreover, the petitioners are languishing in judicial custody since 25.08.2025.

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. 198 of 2025 on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Principal District and Sessions Judge, Katihar/concerned trial Court.

7. Accordingly, the application stands allowed.

(Ashok Kumar Pandey, J)

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