

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17027 of 2026

Arising Out of PS. Case No.-558 Year-2025 Thana- PURNEA SADAR District- Purnia

1. Md. Azaz @ Md. Azaj S/o Md. Laik Resident of - Aina Mahal, Gulabbagh, P.S - Sadar, District - Purnia
2. Md. Imtiyaz S/o Md. Laik Resident of - Aina Mahal, Gulabbagh, P.S - Sadar, District - Purnia

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Singh, Advocate

For the Opposite Party/s : Mr.Shahabuddin Azeem @ S. Azeem, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 16-03-2026 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 8 (c) and 21 (b) of the NDPS Act and /sections 310 (4), 310 (5), 317 (5) of the BNSS.

3. The case of the prosecution, in brief, is that from the possession of petitioner no. 1, a magazine containing three live cartridges and 9.79 grams of ‘smack’ was recovered, whereas from petitioner no. 2, a loaded country-made pistol and 8.58 grams of ‘smack’ were recovered.

4. Learned counsel for the petitioner submits that the



petitioners are innocent and have falsely been implicated in connection with the present case. It is further submitted that nothing has been recovered from their conscious possession. It is further submitted that the witnesses to the seizure list are police personnel, and the mandatory provisions of Section 105 of the B.N.S.S. have not been complied with. It is further contended that although the alleged contraband is more than small quantity, it is much less than commercial quantity. The petitioners are in custody since 04.11.2025. It is also submitted that petitioner no. 1 has criminal antecedents of six cases and petitioner no. 2 has criminal antecedents of nine cases.

5. Learned A.P.P. vehemently opposes the prayer for bail of the petitioners.

6. Considering the aforesaid 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 Sadar P.S. Case No. 558 of 2025 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge (NDPS Act), Purnea, subject to the conditions that one of the bailors shall be a family member, and the petitioners shall cooperate in the trial and remain physically



present on each and every date before the trial court till the conclusion of the trial.

(Ashok Kumar Pandey, J)

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