

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87919 of 2025

Arising Out of PS. Case No.-431 Year-2025 Thana- ARARIA District- Araria

1. Md. Soyeb, S/o Md. Naim, Resident of Village- Sarochiya, Garhbanaili, P.S.- Kasba, District- Purnea.
2. Rijail, S/o Ishak, Resident of Village- Muradbag, Kullakhas, P.S.- Kasba, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Raj Kumar, Advocate Ms. Chitra Dwivedi, Advocate Mr. Pratik Kumar, Advocate
For the Opposite Party/s :		Mr. Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 20-02-2026

1. Heard learned counsel for the parties.

2. The petitioners have preferred this application for grant of regular bail in connection with Araria P.S. Case no.431 of 2025, registered under sections 8(c) and 21(b) of the NDPS Act.

3. As per the prosecution case, on search being conducted, three accused persons including the two petitioners herein were arrested from a car. It is further stated that on search 100 grams of smack was recovered from the possession of the co-accused Md. Noor Alam.

4. Learned counsel for the petitioners submits that no



incriminating article has been recovered from the possession of the petitioners who have been falsely implicated in the case. In fact, no incriminating article was recovered either from the vehicle in which they were present nor from the possession of the co-accused. The petitioners are in custody since 16.10.2025 and have no criminal antecedent.

5. The application for bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R, the recovery of 100 grams of smack having been said to be from co-accused Md. Noor Alam and not the petitioners herein who are in custody for 4 months since 16.10.2025 and charge-sheet having been submitted in the case, both the petitioners are directed to be enlarged on bail in connection with Araria P.S. Case no.431 of 2025, on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge -cum- Special Judge, NDPS Act, Araria on the following condition :-

(I) In case the statement with respect to the petitioners not having any criminal antecedent is found to be incorrect, the



prosecution will have the liberty to move this Court for
cancellation of bail of the petitioners.

(Partha Sarthy, J)

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