

N.D.P.S. No. 102/2025
Pranpur P.S. Case No. 144/2025
P.O. Asutosh Rai
Accused:- Abuzar Shekh

In the court of District & Additional Sessions Judge-II-, Katihar
N.D.P.S. No.- 102/2025
(Arising out from Pranpur P.S. Case No. 144/2025)
State versus Abuzar Shekh & Others

In the matter of

1. Abuzar Shekh, aged about 21 years, S/o- Alif

R/o- Kalichak P.S.- Kalichak Dist.- Malda (WB)

.....accused petitioner

Versus

State of Bihar..... opposite party

P.S.- Pranpur

F.I.R.No.- 144/2025

Offence U/S- 8(C)/21(C)/21(b) of the N.D.P.S. Act.

District- Katihar

Ld. Spl.P.P. for the State

Ld. Counsel for the Accused-petitioner

Shri. Manzar Alam,

Shri. Bijay Kumar Srivastava

ORDER

02.06.2026- This petition for regular bail has been filed on the behalf of the accused namely Abuzar Shekh who is in custody since 11.07.2025 in connection with Pranpur P.S. case no. 144/2025 instituted U/S- 8(C)/21(C)/21(b) of the N.D.P.S. Act. Copy of the bail petition has already been supplied to the Ld. Spl.P.P. appearing for the state.

Heard the learned counsel Sri Bijay Kumar Srivastava, appearing on the behalf of the petitioner and learned Spl.P.P. Shri Md. Manzar Alam appearing on the behalf of the State and perused the entire case record along with case diary.

As per written report prosecution case in nutshell is that on 11.07.2025, the informant to this case namely Moeed Khan P.S.I., Pranpur received secret information that two persons are about to arrive at Pranpur Railway Station by passenger train from Malda by carrying smack. Then informant along with other official persons arrived at Pranpur Railway station NH81 and at about 20:05 O'clock passenger train came from Malda side then two persons got down from

the said train with one colorful bag and went near one motorcycle. Then on the basis of suspicion three persons were apprehended and on being asked out of them one disclosed his name to be Abuzar Sheikh (accused-petitioner) and another person disclosed his name to be Fiyaz Sheikh @ Alfaz and Chhotu Paswan. It is further alleged that one bag was recovered from the possession of Abuzar Sheikh containing smack total 306 grams in one transparent polythene and from possession of Fiyaz Sheikh @ Alfaz total 206 grams of smack was recovered. Further, on being asked Abuzar Sheikh and Fiyaz Sheikh @ Alfaz disclosed that as per instruction of one Md. Nasim they used to deliver smack. Later on, seizure list was prepared and accused persons were remanded to jail custody.

While, Ld. counsel appearing on behalf of accused-petitioner has reiterated all the grounds taken in the bail petition and has submitted that the petitioner is quite innocent and has committed no offence at all and he falsely been implicated in this case. He has further submitted that no such type occurrence has alleged by the informant in this case on such date and time and there is no any contraband articles has been recovered from his possession. He has further submitted that test memo has not prepared at the alleged spot and forensic laboratories form has not also prepared at the alleged spot and there is no compliance of mandatory provision and process of various sections according to N.D.P.S. act. He has further submitted that entire allegation of the prosecution are false and fabricated in this case that alleged contraband articles were seized and seizure list prepared in the presence of Ld. Magistrate at the spot. Real fact is that the police has forcibly obtained signature of the petitioner on some blank and printed papers. He has further submitted that the petitioner has got no bad criminal antecedent and he is in custody since 11.07.2025. Accordingly, prayer has been made to allow the bail petition.

Per contra, the learned Spl. PP opposed the prayer for bail and submitted that total 306 gram Smack have been recovered from the possession of accused-

petitioner and as well as 206 grams of smack has been recovered from the possession of accused persons and said quantity is commercial quantity. So, accused-petitioner doesn't deserve for regular bail.

Heard the both parties and perused the record. From perusal of case record that it is quite clear that total 306 gram smack have been recovered from the possession of accused-petitioner and total 206 grams of Smack has been recovered from the possession of another co-accused namely Md. Faiyaz Shekh @ Alfaz and said quantity is commercial quantity. Further all the witnesses of the case diary have fully supported the case of prosecution. Since, it prima facie appears that accused-petitioner is involved in business of contraband articles just like Smack. While it is well known that the drugs are destroying the young generation of the society.

So, having consideration the above facts and circumstances of this case as well as submission made by Ld. Spl.P.P., I am not inclined to enlarge the above named accused petitioner on the bail. Accordingly, bail petition filed on behalf of the accused namely Abuzar Shekh is hereby rejected.

A.S.J.-II

Katihar

Date of Order	02.06.2026
Date of Reserving Order	N/A
Uploading Date	19.06.2026
Uploaded By	Prakash Kumar Singh, Steno D.A.S.J.-II, Katihar