

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70830 of 2021

Arising Out of PS. Case No.-74 Year-2020 Thana- KATHAIYA District- Muzaffarpur

SIDHANT TIWARI @ SIDHANT KUMAR S/o Virendra Kishore @
Virendra Kishore Tiwary @ Mantoo Tiwari R/o Village- Madhopur Madhu,
Sirsia Jagdishpur, P.S.- Baruraj, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raju Kumar, Advocate
For the Opposite Party/s : Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 06-06-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 399 and 402 of the Indian Penal Code, sections 25(1-B)(a), 26 and 35 of the Arms Act and sections 8, 20 and 22 of the NDPS Act.

As per the prosecution case, on receiving information about the accused persons having gathered to give effect to an occurrence, it is stated that a raid was conducted. Five accused persons were arrested and on search various incriminating articles including narcotic drugs etc. was recovered from their possession. One of the accused, namely, Bipul Kumar took the name of this petitioner as also being involved in sale of drugs.

It is submitted by learned counsel for the petitioner that neither the petitioner was arrested at the spot nor any incriminating article has been recovered from his possession.



The only material against him is the confessional statement of co-accused Bipul Kumar made before police. The said Bipul Kumar has been enlarged on bail vide order dated 17.3.2021 passed in Cr. Misc. no. 1290 of 2021. The petitioner is in custody since 1.9.2021 and chargesheet has been submitted in the case.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, grant of bail to the aforesaid co-accused Bipul Kumar on whose statement the name of the petitioner transpired together with the petitioner having remained in custody for 9 months, the petitioner is directed to be enlarged on bail in connection with Kathaiya P.S. Case no. 74 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 4th Additional Sessions Judge, Muzaffarpur.

(Partha Sarthy, J)

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