

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11471 of 2024

Arising Out of PS. Case No.-405 Year-2023 Thana- RAMGARH District- Kaimur (Bhabua)

Chhotu Tiwari S/O Late Bashishth Tiwari Village- Garasara, Ps. Ramgarh,
Dist.Kaimur (bhabhua).

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satyendra Pandey, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 22-02-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Ramgarh P.S. Case No.405 of 2023 lodged under Sections 8(c),
20(b)(ii)B, 27A, 29 of the N.D.P.S. Act.

3. As per the prosecution case, the F.I.R. has been
lodged against petitioner against whom the recovery of 1kg
ganja has alleged to be made.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He submits
that from the content of F.I.R., it become crystal clear that the
said recovery has not been made from the possession of the
petitioner rather it has been recovered from the co-accused who
has disclosed the name of the petitioner that he has received the



said ganja from the petitioner.

5. Counsel further submits that petitioner's antecedent is not clean. There is one criminal case pending against petitioner in which he is on bail and he is in custody since 29.11.2023.

6. Counsel further submits that in the present case, no material has not been recovered from the possession of the petitioner, therefore, no offence has been made out against him.

7. Learned counsel for the State opposes the prayer for bail and submits that one more case of N.D.P.S. Act is pending against the petitioner and at the time of consideration of bail, this aspect may be taken into consideration.

8. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail, **6 months after framing of charge, if not framed**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge-cum- Special Judge, Kaimur at Bhabhua in connection with Ramgarh P.S. Case No.405 of 2023, subject to the following conditions as laid down under Section 437(3) of Cr.P.C.

9. However, the petitioner shall be granted bail only



on being satisfied by the Trial Court that the petitioner is not absconding in any of the cases pending against him whose details are as follows:-

- i. Ramgarh P.S. Case No.79 of 2020.

(Dr. Anshuman, J.)

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