

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.46667 of 2024**

Arising Out of PS. Case No.-20 Year-2024 Thana- INARWA District- West Champaran

Tufani Ansari @ Tufani Miya @ Tufani Miyan S/O Reyaj Ansari R/O  
Village- Lipani, Pirari, P.S- Sikarpur, Distt.- West Champaran.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Umesh Kumar Gupta, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR**  
**ORAL ORDER**

2      10-07-2024                      Heard learned counsel for the parties.

2. The petitioner seeks regular bail, who is in custody in connection with Inarwa P.S. Case No. 20 of 2024 registered for the offences punishable under Sections 8, 20(b)(ii)(b), 23(b) and 29 of the Narcotics Drugs and Psychotropic Substances Act.

3. Allegedly, on a tip-off the police apprehended a person who was coming on a motorcycle. On search 3 kg 'ganja' is said to have been recovered from the dicky of the motorcycle. The apprehended person disclosed that the said substance has to be given to one Tufani Ansari who is petitioner herein.

4. Learned advocate for the petitioner, referring to the FIR contended that save and accept the confessional statement of co-accused there is no material suggesting the complicity of the petitioner in the crime. It is also the contention of the petitioner



that neither the petitioner has any connection with the apprehended person nor with the motorcycle which was intercepted by the police personnel. Be that as it may, though the alleged recovered 'ganja' like substance is excess to the small quantity but less than commercial quantity and, as such, the rigor provided under Section 37 of the NDPS Act would not be applicable. It is also the contention of the petitioner that even with respect to apprehended person there is no compliance of Sections 42 and 50 of the NDPS Act. The petitioner is languishing in jail since 11.03.2024.

5. On the other hand, learned counsel for the State opposed the bail application and submits that the apprehended person disclosed the name of the petitioner as consignee of the contraband substance.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the entire case against the petitioner is based upon the confessional statement made before the police and there is no other material suggesting his complicity coupled with the fact that the investigation of the crime is complete and charge sheet has been submitted, let the petitioner above named be released on bail, on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of



the like amount each to the satisfaction of the learned Exclusive  
Special Judge (NDPS), West Champaran, Bettiah in connection  
with Inarwa P.S. Case No. 20 of 2024.

**(Harish Kumar, J)**

Prakash/-

|   |  |  |  |
|---|--|--|--|
| U |  |  |  |
|---|--|--|--|

