

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.773 of 2025

Arising Out of PS. Case No.-180 Year-2024 Thana- TARIYANI CHOWK District- Sheohar

Alok Tiwari S/O Shatrudhan Tiwari @ Satrughna Tiwari R/O Village-
Narwara Ward No. 11, P.S.-Tariyani, District- Sheohar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Prasad Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 05-03-2025 Heard the parties.

2. The petitioner is in judicial custody in connection with Tariyani P.S. Case No. 180 of 2024 for the offences punishable under Sections 8, 20(B) II B of the N.D.P.S. Act, lodged on 26.09.2024 by the informant, Deepak Patel.

3. As per the prosecution story, the Police upon secret information and during the patrolling raided a Betel Shop and there is recovery/seizure of 9.5 Kg *ganja* upon search of the room. This led to the F.I.R. and arrest of the petitioner.

4. Learned counsel for the petitioner submits that it is an open place accessible to everyone, the petitioner as well as the accused have been taken into custody. Further, he do not have criminal antecedent and is in custody since 26.09.2024 and the last submission is that similarly situated co-accused,



Shankar Thakur has been granted bail in Cr. Misc. No. 82177 of 2024 (Annexure P/2 of the petition).

5. Learned APP Mr. Jitendra Kumar Singh, for the State opposes the prayer submitting that upon raid, the said recovery has been made though concede that it is below the commercial quantity.

6. Considering the submissions put forward by the parties as also the fact that he do not have criminal antecedent, is in custody since 26.09.2024, the quantity is below the commercial one and one of the co-accused has been granted bail, as stated above, in that background, this Court is inclined to extend him the privilege of bail.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Sessions Judge-cum-Special Judge (NDPS Act), Sheohar in connection with Tariyani P.S. Case No. 180 of 2024, subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date



before the Trial Court failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next one year to mark his attendance;

(iv) the petitioner shall in now way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

(Rajiv Roy, J)

Adnan/-

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