

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10943 of 2025

Arising out of PS. Case No.-95 Year-2024 Thana- MAHALGAON District- Araria

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Tinku Kumar Singh, Son of Kaleshwar Singh, Vill- Majrohi Ward no-6, P.S. Sahdei, District- Vaishali, at Present- Mohalla- Matiyari Chauk, ward no-10, P.S.- Mahalgaon, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

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

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 05-05-2025 Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with Mahalgaon P.S. Case No. 95 of 2024, registered for the offences punishable under Sections 8, 20(b)(ii)(C) of the N.D.P.S. Act.

3. The prosecution case in brief is that the police on written report dated 11.09.2024 was informed that some illegal drug business was being carried out at a non-functioning ice factory. The informant has alleged that at the ice factory 4-5 persons were sitting there who were apprehended. The petitioner was also apprehended and on search, altogether 193 kg of ganja was recovered and also Rs. 5,19,435/- cash was recovered from the said place.



4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case and admittedly neither the ice factory belongs to the petitioner nor any recovery of incriminating article was made from the conscious possession of the petitioner. The learned counsel has stated the seizure list as contained with the FIR shows that only two mobile phones, a motorcycle and Rs. 10,000/- was recovered from the petitioner. It has further been submitted that the charge-sheet has already been submitted and the petitioner carries no criminal antecedent. Lastly it has been submitted that the petitioner is in custody since 12.09.2024.

5. Learned Additional Public Prosecutor for the State has opposed the prayer for bail and states that a commercial quantity of ganja was recovered at the ice factory and the petitioner was also apprehended at the place of occurrence.

6. Considering the aforesaid facts and circumstances and taking into consideration the fact that no incriminating material has been recovered from the conscious possession of the petitioner and also taking into account the period of custody since 12.09.2024, I am inclined to grant the petitioner privilege of regular bail.

7. Accordingly, the prayer for bail is allowed.



8. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the court of learned Court of Sessions-cum-Special Judge N.D.P.S. Act, Araria, in connection with Mahalgoan P.S. Case No. 95 of 2024.

(Sourendra Pandey, J)

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