

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12296 of 2025

Arising Out of PS. Case No.-446 Year-2024 Thana- KUDRA District- Kaimur (Bhabua)

Rahul Kumar @ Rahul Tiwari Son of Mahendra Tiwari Resident of Village-
Newras, P.S.- Kudra, Distt.- Kaimur

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Union of India through the Secretary of Home Affairs, New Delhi New Delhi

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Vardaan Mangalam, Advocate Mr. Dinu Kumar, Advocate Mrs. Ritika Rani, Advocate
For the Opposite Party/s :		Mr. Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 07-03-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Kudra P.S. case No. 446 of 2024 registered for the alleged offences under Sections 8(c), 21(b) & 27(A) of the NDPS Act.

3. As per the prosecution case, on secret information that the petitioner was selling heroine from his fertilizer shop, a raid was conducted and the petitioner was apprehended. From his possession 31 pouches of heroine like substance was recovered. The total weight of the heroine came to be 14.03 grams. The petitioner disclosed the name of co-accused Gullar Singh who



sold him the heroine.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. There is complete violation of mandatory provision of the NDPS Act as well as BNS Act. There is no independent witness to the search and seizure. Due to the village politics and enmity with local mukhiya the petitioner has been made accused. The police is also having some issues with petitioner as the petitioner used to supply drinking water to the police station. The petitioner is having clean antecedent and is in custody since 24.11.2024.

5. Learned APP opposes the submission made on behalf of the petitioner and submits that the petitioner was caught raid handed along with contraband which is more than notified small quantified.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the clean antecedent of the petitioner, weight of contraband seized, period of custody of the petitioner and submission of charge sheet, the petitioner above named are directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten 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 Kudra P.S. Case No. 446 of 2024, subject to
the following conditions :

- (i) One of the bailors will be a close relative of the
petitioner.
- (ii) The petitioner will remain present on each and
every date fixed by the court below.

(Arun Kumar Jha, J)

Prakash/-

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