

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9583 of 2025

Arising Out of PS. Case No.-160 Year-2024 Thana- FALKA District- Katihar

Twinkle Kumar Das Son of Binod Das Resident of Morsanda, PS- Falka,
Distt- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Advocate
For the Opposite Party/s : Mr. Yogendra Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 14-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Falka
P.S. Case No. 160 of 2024 instituted for the offences under
Sections 20, 22 of the N.D.P.S. Act.

3. Prosecution case, in short, is that total 61.39 grms
of smack has been recovered from five accused persons, out of
which 17.55 grams of smack has been recovered from this
petitioner.

4. Learned counsel for the petitioner submitted that the



petitioner has falsely been implicated in the present case. Charge-sheet has been submitted in this case. Petitioner is in custody since 10.09.2024 and has no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. No incriminating material has been recovered from the conscious possession of the petitioner. The recovered contraband is below commercial quantity, and hence, Section 37 of the N.D.P.S. Act is not applicable in the present case. There is no compliance of Sections 42 and 50 of the N.D.P.S. Act. The co-accused person has already been granted bail by this Court vide order dated 07.02.2025 passed in Cr. Misc. No. 8226 of 2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, recovered contraband being less than commercial quantity, clean antecedent as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner 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 Court



below/concerned Court in connection with Falka P.S. Case No.
160 of 2024.

Alok Verma/-
(Rudra Prakash Mishra, J)

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