

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38950 of 2025

Arising Out of PS. Case No.-26 Year-2024 Thana- Haraiya District- East Champaran

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Tunna Paswan @ Tunna Ram Son of Shambhu Ram @ Shambhoo Ram
Resident of village -Ahirwa tola ward no 07, Ps- Raxaul, Dist- East
champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Ram Sevak Choudhary

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 14-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Haraiya P.S. Case No. 26 of 2024 dated 03.11.2024 registered for the offences punishable under Sections 8(c), 20(b), (2)(b), 22(b), 24 and 29 of the Narcotic Drugs and Psychotropic Substance Act.

3. As per the prosecution case, total 134 gram smack (Brown Sugar) was recovered from the plastic allegedly thrown by the co-accused Neyaz Nabi.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The name of the petitioner has sprung up in the



confessional statement of the co-accused, Neyaj Nabi, who has already been granted regular bail by this Court vide order dated 23.04.2025 passed in Cr. Misc. No. 19411 of 2025. The seized contraband is less than the commercial quantity. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the alleged recovery. The petitioner has three criminal antecedents in which one case is related to similar nature of offence as stated at para 3 of the bail petition. The petitioner is in custody in this case since 09.04.2025.

5. Learned A.P.P. for the State has opposed the bail petition of the petitioner and submitted that as per para-14 of the case diary, the confessional statement of the co-accused, Neyaj Nabi is mentioned, where he has stated about the involvement of this petitioner in selling of Smack.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, East Champaran at Motihari in connection with Haraiya P.S. Case No. 26 of 2024, with the condition:-



(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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