

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63913 of 2025

Arising Out of PS. Case No.-9 Year-2025 Thana- FULKAHA District- Araria

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Pintu Kumar Paswan @ Pintu Paswan S/o Hiralal Paswan @ Horalal Paswan
Resident of village- Jimrahi, ward no. 2 (Sonapur), P.S.- Narpatganj, Distt.-
Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar, Advocate

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

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

ORAL ORDER

5 28-11-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Fulkaha
P.S. Case No. 9 of 2025 instituted for the offences under
Sections 8/20(b)(ii)(c) of the N.D.P.S. Act.

3. Prosecution case, in short, is that, police recovered
total 103 kg. of ganja from the Swift Car bearing Regd. No. BR-
11-BC-7861.

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 21.06.2025 and has seven criminal antecedents.
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 rather the recovery has been made from the car. Petitioner has no concern with the alleged recovery and petitioner is not the owner of the vehicle from which the recovery has been made. Learned counsel further contended that except the confessional statement made by the co-accused persons who were apprehended on the spot, there is no material to show the involvement of the petitioner in the alleged offence and, that too, has no evidentiary value in the eye of law. There is no compliance of Sections 42 and 50 of the N.D.P.S. Act.

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 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, ***after framing of charge, if not already framed***, on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Fulkaha P.S. Case No. 9 of 2025, subject to the following conditions:



(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Rudra Prakash Mishra, J)

Alok Verma/-

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