

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64365 of 2025

Arising Out of PS. Case No.-73 Year-2025 Thana- TIKAPATTI District- Purnia

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Ajay Kumar Singh S/O Late Dulo Singh R/O Village- Navtolia, Ward No.02,
P.S- Mohanpur, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

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

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 01-11-2025 Heard learned counsel appearing on behalf of the

petitioner and learned APP appearing on behalf of the State.

2. The petitioner seeks bail in connection with Tikapatti

P.S. Case No. 73/2025, registered for the offence under Sections

20(b)(II)(c)/29 of the NDPS Act.

3. The accused/petitioner is named in the F.I.R. and is

in custody since 21.05.2025.

4. Allegation against the petitioner is to have in

possession of 11.100 kg of contraband i.e. *ganja*.

5. Learned counsel appearing on behalf of the petitioner

submitted that in actual the recovery was made from co-accused

persons but as this petitioner was travelling alongwith his wife in

auto, both of them were made accused falsely with present case,



showing contraband in their possession. It is submitted that the recovery of contraband is less than smaller quantity. It is also submitted that as the auto in issue was occupied by different accused persons, therefore, it can be safely gathered that the recovery was not made from the conscious physical possession of this petitioner, who is a man of clean antecedent. It is also pointed out that the mandatory provisions as available under NDPS Act *qua* sealing search and seizure (SSS) also not appears followed in its true spirit. While concluding the argument, it is submitted that investigation of this case is already completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP opposed the prayer of bail.

7. Considering the aforesaid factual submissions and by taking note of fact as recovery of contraband from the possession of petitioner is less than smaller quantity, where recovery also *prima facie* appears doubtful from the conscious physical possession of this petitioner, coupled with the fact that investigation of this case is already completed, where petitioner being a man of clean antecedent remains in custody since 21.05.2025, accordingly, petitioner above named, is directed to be released on bail in connection with Tikapatti P.S. Case No.



73/2025 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge (NDPS Act), Purnea/concerned Court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C./Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

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