

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73439 of 2024

Arising Out of PS. Case No.-225 Year-2024 Thana- MUFFASIL District- Aurangabad

Vinod Tiwary Son of Harihar Tiwary R/O-Village- Dharmgadh, Parasi, P.S-
Karakat, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Omprakash Pandey, Adv.

For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

4 05-02-2025 Heard Learned Counsel for the petitioner and

Learned A.P.P. for the State.

2. The present Criminal Miscellaneous application has been filed under Sections 483 and 484 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as “the BNSS”) for seeking regular bail in connection with Aurangabad Muffasil P.S. Case No.225 of 2024 relating to Narcotic Control Crime No.15 of 2024 lodged on 07.07.2024 under Section 8C and 20(B)IIB of Narcotics Drugs and Psychotics Substance Act, 1985.

3. As per the prosecution, As per the prosecution case, the F.I.R. has been lodged against 3 named accused persons including the petitioner with allegation that there is recovery of 12 kg ganja from their vehicle, which is subject matter of the present case.

4. Learned Counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. He submits that the said quantity is not commercial quantity rather it is much lesser than the commercial quantity.

5. Counsel also submits that the other co-accused has been granted bail by this Court vide order dated 22.01.2025 passed in Cr. Misc. No. 90216/2024.

6. Learned Counsel further submits that petitioner is in custody since 07.07.2024 having clean antecedent.

7. Learned counsel for the State opposes the prayer for bail.

8. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail, **but only after framing of charge, if not framed**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) as mentioned in Section 2(1) (d) of the BNSS, 2023 to the satisfaction of Special Judge (NDPS)-cum- 1st Addl. District & Sessions Judge, Aurangabad in connection with Aurangabad Muffasil P.S. Case No.225 of 2024 relating to Narcotic Control Crime No.15 of 2024, subject to the following conditions as laid down under Section 480(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Dr. Anshuman, J.)

Prakashmani/-

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