

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76 of 2025

Arising Out of PS. Case No.-251 Year-2024 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Natwar Kumar @ Natwar Kumar Aman @ Aman S/O Amit Kumar Singh @
Amit Kr Singh @ Amit Kumar Village- Jokia Khakhna ward no 5 P.S.-
Bhagwanpur, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate

For the Opposite Party/s : Mr. Choubey Jawahar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 05-02-2025 Heard Mr. Sandip Kumar Gautam, learned counsel
for the petitioner as well as Mr. Choubey Jawahar, learned A.P.P.
for the State.

2. The petitioner seeks bail, who is in custody since
17.06.2024, in connection with N.D.P.S. Case No. 28 of 2024 in
connection with Muffasil P.S. Case No. 251 of 2024, FIR dated
16.06.2024 registered for the offence under Sections 25(1-b)(a),
26 and 35 of the Arms Act and under Section 8, 20(B)(ii), (C) of
the N.D.P.S. Act, 1985.

3. The case relates to recovery of a country made
pistol with a live cartridge, a cartridge, a screen touch mobile,
Rs.10,000/- cash, one scooty and 1.8 kg of ganja.

4. Learned counsel appearing for the petitioner
submits that the petitioner is innocent and he has falsely been



implicated in this case. He further submits that from a bare perusal of the FIR it appears that one country made pistol with a live cartridge, a cartridge, a screen touch mobile, Rs.10,000/- cash was recovered from the possession of the petitioner and one scooty was also recovered from the possession of the co-accused and 1.8 kg of ganja was also recovered from the dicky of the scooty. He further submits that it appears that the recovered contraband is less than the commercial quantity. Hence, there is no embargo under Section 37 of the N.D.P.S. Act for grant of bail to the petitioner. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 17.06.2024.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one.

6. Considering the aforesaid facts, the quantity of recovered contraband as well as period of custody, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Principal Sessions Judge,



Begusarai in connection with N.D.P.S. Case No. 28/2024 in connection with Muffasil P.S. Case No. 251 of 2024 with the following conditions:-

(i) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(ii) 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.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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