

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8201 of 2026

Arising Out of PS. Case No.-89 Year-2025 Thana- Bajitpur District- Darbhanga

Tinku Singh @ Pushkal Kumar Singh @ Pushkal, S/O Sunder Singh, R/O
Vil.- Achahari, P.O – Adsar, PS-Jamui, Dist- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhinav Shandilya, Advocate

For the Opposite Party/s : Mr. Narendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

4 10-04-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under Sections 20 (b) (ii) (C), 22, 27 (A) and 29 of the NDPS Act.

3. The case of the prosecution, in short, is that altogether 116.640 kg. of ganja like contraband was recovered from a van.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in connection with the present case. It is further submitted that no contraband has been recovered from the possession of the petitioner. It is contended that the recovery was made from the possession of one Rishabh Kumar and according to Rishabh



Kumar, he is driver of this petitioner. It has further been submitted that during investigation, in para '132' of the case diary, it has come that one Md. Gholam Raza is the owner of the said van. It has further been submitted that only material against the petitioner is confessional statement of the co-accused Rishabh Kumar. It has further been submitted that similarly situated co-accused Saurav Kumar has been granted bail by this Court vide Cr. Misc. No. 11584 of 2026. Petitioner is having no criminal antecedent and he is languishing in judicial custody since 05.12.2025.

5. Learned counsel for the petitioner has further submitted that in view of the judgment of the Hon'ble Supreme Court in the case of **Toofan Singh Vs. State of Tamil Nadu**, the statement of a co-accused recorded under the NDPS Act has no evidentiary value for the purpose of implicating another accused.

6. Learned A.P.P. appearing for the State has vehemently opposed the prayer for bail.

7. Considering the aforesaid facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with PTN (Special Case) No. 2351 of 2025



arising out of Bajitpur P.S. Case No. 89 of 2025 on furnishing
bail bond of Rs.10,000/- (ten thousand) with two sureties of the
like amount each to the satisfaction of learned Sessions Judge-
cum- Special Judge (NDPS Act), Darbhanga.

(Ashok Kumar Pandey, J)

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