

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11762 of 2026

Arising Out of PS. Case No.-167 Year-2025 Thana- BAIRIYA District- West Champaran

Ashok Tiwari Son of Vishwanath Tiwari Resident of Village- Pujha Patjirwa,
P.S.- Srinagar, District- West Champaran (Bagaha)

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amarendra Nath Verma, Advocate

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 25-02-2026 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 8 20 (b) (ii) (c) of the NDPS Act and Sections 310 (4) & 5 of the BNSS and Section 25 (1-b)a, 26 and 35 of the Arms Act.

3. The prosecution case, in brief, is that 5–6 persons were sitting beside a canal and, upon seeing the police party, attempted to flee, leaving behind their motorcycle. It is alleged that all of them were apprehended and the present petitioner is one among them.

4. Learned counsel for the petitioner submits that, upon perusal of the seizure list, it would transpire that only one country-made pistol and one live cartridge were recovered from



the conscious possession of the petitioner. It is further submitted that 1.362 grams of 'charas' was recovered from the motorcycle of co-accused Pankaj Singh and not from the possession of this petitioner. It is further contended that the petitioner has been falsely implicated in the present case on account of his criminal antecedents. It is acknowledged that the petitioner has criminal antecedents in ten cases. It has also been submitted that similarly situated co-accused, Ranjan Singh, has already been granted bail vide order dated 03.12.2025 passed in Cr. Misc. No. 80875 of 2025 and the case of the present petitioner stands on similar footing. Moreover the petitioner has been languishing in Judicial Custody since 01.05.2025.

6. Learned APP 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 Bairy P.S. Case No. 167 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 Additional District Judge cum Special Judge, NDPS, Bettiah, West Champaran.



8. However, it has been brought on record that the petitioner has criminal antecedents in 10 cases. In such circumstances, he is directed to cooperate in the trial, remain physically present on each and every date fixed by the court, and mark his attendance once every week at the concerned Police Station.

(Ashok Kumar Pandey, J)

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