

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54598 of 2025

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

Bulbul Singh @ Bulbul Mandal, S/o Late Upendra Singh, Resident of
Village-Dumari, Ward No.-14, P.S.- Tikapatti, Distt.- Purnea

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Parties

Appearance :

For the Petitioner/s	:	Mr. Shivam Kumar Deep, Advocate
		Mr. Rahul Kumar Shukla, Advocate
For the Opposite Party/s :		Mr. Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 06-02-2026 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 Narcotic
Drugs and Psychotropic Substances Act (in short '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 3.575 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 and moreover petitioner found involved in one more criminal case, where he is on bail.

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 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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