

IN THE COURT OF PRINCIPAL SESSIONS JUDGE, BHAGALPUR

Bail Application No. 169/2026
Babarganj P.S. Case No. 229/2025

Uttam Thakur Versus State of Bihar

Counsel for the Petitioner : - Sri Pramod Thakur, Advocate.
For the State : - Sri Sridhar Singh, Special Public Prosecutor.

Date of Order	Order with Signature of the Court
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19-03-2026	1. This is an application for regular bail filed on behalf of the petitioner Uttam Thakur, in connection with Babarganj P.S. Case No. 229/2025, instituted for offences u/s 8(c), 21(a) of Narcotic Drugs and Psychotropic Substances Act, 1985. The petitioner is in custody since 09-12-2025. 2. Heard Sri Pramod Thakur, learned counsel for the petitioner and Sri Sridhar Singh, learned Special Public Prosecutor for the State. 3. Prosecution case as stated in the First Information Report is that one Pratap Kumar Ram of Babarganj P.S. filed a report alleging therein that on 09-12-2025 at about 10.10 A.M., the informant and other police official were on patrolling duty and on the way they saw that near Maheshpur Kalisthan, two miscreants were taking Drugs. They were apprehended and on interrogation they disclosed their names as co-accused Tinku Kumar and petitioner Uttam Thakur. It is further alleged that when search being made from possession of co-accused Tinku Kumar Brown-sugar like substance was recovered and on weighing, it was found 1.49 gram. Hence, F.I.R. was lodged. 4. The learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. Entire allegation against the petitioner is false and concocted. Moreover, allegedly the petitioner was apprehended at spot but nothing incriminating material has been recovered from his possession. He further submits that as per F.I.R. recovery of contraband materials has been made from possession of co-accused Tinku Kumar and the said Tinku Kumar has been granted bail by the order of Learned D.A.S.J. - XIII, Bhagalpur. He submits that the case of petitioner stands on better footing from the case of co-accused Tinku Kumar who is enjoying the privilege of bail. The learned counsel for

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petitioner fairly concedes that two criminal cases are pending against the petitioner in which he is on bail. The petitioner is in custody since 09-12-2025.

5. On the other hand, learned Special Public Prosecutor though opposed the prayer for grant of bail to the petitioner but fairly concedes that the co-accused Tinku Kumar from whose possession contraband material has been recovered has been granted bail by the order of learned D.A.S.J. - XIII, Bhagalpur. He further fairly concedes that nothing incriminating has been recovered from possession of the petitioner.
6. After having gone through the documents & the materials available on record, this court finds that though the accused-petitioner apprehended at spot but nothing incriminating material has been recovered from his possession. As per F.I.R. and seizure-list, the Brown-sugar has been recovered from possession of co-accused Tinku Kumar and the said Tinku Kumar has been granted bail by the order of learned D.A.S.J. - XIII, Bhagalpur. Though, the petitioner bears criminal antecedent but he is in custody since 09-12-2025.
7. Therefore, considering the aforesaid facts and circumstances of the case, as discussed above, coupled with the period of detention and the fact that earlier similarly situated co-accused has been granted bail by the order of learned D.A.S.J. - XIII, Bhagalpur, the bail application of petitioner is hereby allowed. Accordingly, the petitioner Uttam Thakur is directed to be released on bail on furnishing bail bond of Rs. 15,000/- with two sureties of like amount each to the satisfaction of the court with condition that one of the surety of petitioner shall be the parent of petitioner. Further, the petitioner shall file an undertaking that he will not indulge himself in the act of similar nature in future and if it is found that he is getting involved in similar offences, his bail shall liable to be cancelled. The petitioner is also directed to co-operate in the trial.

Sd/-
(Deepak Kumar)
Principal Sessions Judge I/c.