**IN THE HIGH COURT OF JUDICATURE AT PATNA**
**CRIMINAL MISCELLANEOUS No.35348 of 2026**

Arising Out of PS. Case No.-229 Year-2025 Thana- MOTIPUR District- Muzaffarpur

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Rajesh Kumar Tiwari@ Rajesh Tiwary, Son of Ramnarayan Tiwari, Resident of village- Sarkar Kumar Tuli Bhimbhar Fhasideva, Paschim Madati, PS- Bidhannagar, District- Darjeeling and P/A- Madhopur Madhu, PS- Baruraj, District- Muzaffarpur

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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**Appearance :**
For the Petitioner/s : Mr. P.N. Shahi, Sr. Advocate
Mr. Rajeev Ranjan, Advocate
Mr. Neeraj Prasad Sinha, Advocate
For the Opposite Party/s : Mr. Pranav Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**

ORAL ORDER

8 20-08-2026 Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Motipur P.S. Case no.229 of 2025, registered under section 317(2) of the Bharatiya Nyaya Sanhita, 2023 and sections 8(c) and 21(c) of the N.D.P.S. Act.

3. As per the prosecution case, the informant states that while patrolling, on information having been received and a raid being conducted 2.06 kgs of morphine like substance was recovered from the Bolero vehicle being driven by the petitioner herein and he was taken into custody.

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4. Learned Senior counsel for the petitioner submits that the petitioner has been falsely implicated in the case. No incriminating article has been recovered from his possession. Further referring to the report of the FSL it is submitted that in the first report dated 24.12.2025 of the Regional Forensic Science Laboratory, Muzaffarpur, no morphine was found. Pursuant to the order dated 27.5.2026 passed in this case, another report was obtained from the Central Forensic Science Laboratory, Bhopal wherein once again no morphine was detected. Further codeine, thebaine, papaverine and noscapine were detected. It is submitted that as per the CCTV footage it would transpire that the narcotics were allegedly planted. The petitioner is in custody since 6.7.2025 and has no criminal antecedent. Investigation in the case is complete with submission of charge-sheet.

5. The application for bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and having perused the allegations in the F.I.R, the material that has transpired in course of investigation, the contents of the two FSL reports, 2.06 kgs of narcotics having been seized from the possession of the petitioner wherein presence of codeine and

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thebaine was confirmed, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

**(Partha Sarthy, J)**

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