

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36103 of 2025

Arising Out of PS. Case No.-326 Year-2024 Thana- NADI P.S. District- Patna

MANTU GOP S/o Jagdish Gop @ Jagdish Rai R/o vill - Fatehjangpur, P.S.-
Nadi, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad, Adv

For the Opposite Party/s : Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 29-05-2025 Heard learned Counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Nadi P.S. Case No. 326 of 2024 registered for the offences punishable under Sections 21(c), 22(c) and 25 of the N.D.P.S. Act.

3. As per the prosecution case, total 465 bottles of codeine cough syrup, each weighing 100 ml., was recovered from the possession of the co-accused Rinku Devi and Dharam Nath Kumar.

4. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case and he was not apprehended from the place of occurrence. It is also submitted that the petitioner has no concern with the said seized narcotic substance and no incriminating article has been



recovered from his conscious physical possession. It is also submitted that the co-accused, namely, Rinku Devi and Dharam Nath Kumar have already been granted bail by co-ordinate Benches of this Court vide order dated 28.04.2025 and 12.05.2025 passed in Cr. Misc. No. 1309 of 2025 and Cr. Misc. No. 14889 of 2025 respectively. It is lastly submitted that the petitioner has no criminal antecedent and is in custody since 09.10.2024.

5. Learned APP for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid submissions of the parties and taking into account the fact that no incriminating article has been recovered from the conscious physical possession of the petitioner and similarly situated co-accused persons have already been granted bail by co-ordinate Benches of this Court and also considering the period of custody, let the petitioner above-named, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Patna, in connection with Nadi P.S. Case No. 326 of 2024, subject to the following conditions:-

(i) One of the bailors will be close relative of the petitioner.



(ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be canceled by the Court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution will be at liberty to move for cancellation of his bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. The application stands allowed.

(Sourendra Pandey, J)

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