

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35354 of 2025

Arising Out of PS. Case No.-33 Year-2024 Thana- Haraiya District- East Champaran

Akhilesh Gupta @ Akhilesh Kumar S/O Late Suresh Prasad Gupta R/O
Village- Ashram Road, Ward No.-10, Raxaul, P.S- Raxaul, District- East
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Dr. Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 11-06-2025

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Haraiya P.S. Case no.33 of 2024 (N.D.P.S. Case no.111 of 2024) registered under sections 21(b), 23(b) and 24 of the N.D.P.S. Act.

3. As per the prosecution case, on the vehicle/truck in question being stopped and searched, it is stated that 642 bottles of 100 ml of Onrex cough syrup was recovered and the driver of the vehicle Firoj Alam was taken into custody.

4. Learned counsel for the petitioner submits that the petitioner is not named in the FIR. He has been falsely implicated in the case in course of investigation. The material that has transpired has been dealt with in the order of the learned



trial Court rejecting the prayer for bail of the petitioner. It is submitted that the only material that has transpired against the petitioner is that the petitioner along with his associates were involved in loading the seized contraband on the truck in question. Learned counsel submits that the petitioner has no concern either with the seized contraband nor with the truck in question nor with the driver Firoj Alam who was caught with the contraband. The reason for false implication of the petitioner is his antecedent. There is no explanation as to why the petitioner was not named in the FIR and implicated subsequently in course of investigation. The petitioner is in custody since 11.4.2025 and undertakes to cooperate in the investigation/trial.

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

6. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, the material that has transpired against the petitioner in course of investigation as dealt with in the order of the learned trial Court together with the petitioner having remained in custody since 11.4.2025 and it not being in dispute that no incriminating article was recovered from the petitioner's possession, the Court



directs the petitioner to be enlarged on bail in connection with Haraiya P.S. Case no.33 of 2024 (N.D.P.S. Case no.111 of 2024) on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge/Special Judge, East Champaran, Motihari.

(Partha Sarthy, J)

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