

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52639 of 2025

Arising Out of PS. Case No.-35 Year-2025 Thana- GORIAKOTHI District- Siwan

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Dhrup Kumar Gupta S/o Late Sharda Prasad R/o vill - Sareya, P.S.-
Govindganj, Distt.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma, Sr. Advocate
	:	Mr. Ganesh Prasad Singh, Advocate
For the Opposite Party/s	:	Mr. Shyam Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

2 12-08-2025 Heard learned Senior Counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with
Goreyakothi P.S. Case No. 35 of 2025 registered for the
offences punishable under Sections 20(b)(ii)(c) and 22 of the
NDPS Act.

3. Although in the bail application it has been stated
that the petitioner has clean antecedent but learned counsel
himself submits that it is doubtful.

4. The case of the prosecution is that an FIR bearing
Goreyakothi P.S. Case No. 35 of 2025 has been registered on
09.02.2025 under sections 20(b)(ii)(c) and 22 of the NDPS Act
against the petitioner along with others. As per the FIR, the



informant who happens to be the SHO posted at Goreyakothi P.S. on 09.02.2025 got an information that two persons loaded with Ganja in a Renault car bearing Reg. No. BR06PF-3184 were going towards Afrad from Basantpur and one person was riding on a Super Splendor Motorcycle bearing Reg. No. BR06AC-6650 was going as a liner. Accordingly, he started checking motorcycle on the said route. The accused persons riding on Splendor Motorcycle started fleeing away, but he was apprehended by police force. The person who was apprehended on the spot disclosed his name as Prabhat Kumar @ Vikash Kumar. On enquiry, he disclosed that he along with Dhruv Kumar Gupta (petitioner) and one Rambabu Sah had come from Raxaul to sell Ganja which he had kept in his Renault car parked near Sinsai Patrol Pump. Thus the police team reached near Sinsai petrol pump where they found one Renault car bearing Reg. No. BR06PF-3184 parked. After seeing the police, two other persons started fleeing but with the help of police force one person was caught, who disclosed his name as Dhruv Kumar Gupta (petitioner) and he is also said to have stated that the person who fled away was Rambabu Sah. On search of the Renault car, 10-12 bundles of Ganja like substance weighing 124.300 kg was recovered. On demand of paper of Renault car



and Super splendor motorcycle they did not give any paper.

5. Learned Senior Counsel for the petitioner submits that the petitioner has no criminal antecedent although from the impugned order it transpires that in the Case Diary it has come that the petitioner bears one criminal antecedent. He further submits that the investigation stands completed and charge-sheet has been filed, and therefore, keeping the petitioner in custody would not serve any purpose. He further submits that nothing has been recovered from his conscious physical possession and that the recovery is from the car and the motorcycle does not belong to the petitioner.

6. On the other hand, learned APP appearing for the State opposes the prayer for regular bail of the petitioner. He submits that the quantity of the ganja which has been recovered is a commercial quantity and, therefore, no bail should be granted. He further submits that the petitioner was caught red-handed with the ganja which was found in the Renault car and Super Splendor motorcycle and he was himself sitting in the said Renault car.

7. Considering the fact that the petitioner has been caught red-handed and the petitioner was in the Renault car in which commercial quantity of ganja has been recovered by the



police and also given the fact that the petitioner has wrongly disclosed that he has no criminal antecedent, whereas from the impugned order it transpires that in the Case Diary it has come that the petitioner bears criminal antecedent. Under these circumstances, the Court is not inclined to grant bail to the petitioner.

8. Accordingly, the bail application stands rejected.

(Alok Kumar Sinha, J)

Gaurav Sinha/-

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