

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51567 of 2025

Arising Out of PS. Case No.-23 Year-2025 Thana- Basmatia District- Araria

Ravin Kumar Chaupal @ Rabin Kumar S/o Satrugghan Chaupal R/o Village-
Bela, Ward No. 08, P.S.- Basmatiya, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra, Advocate

For the Opposite Party/s : Mrs.Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 11-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Basmatiya P.S. Case No. 23 of 2025 registered for the alleged offences under Sections 8(c)/21(b) of NDPS Act and Section 111 of B.N.S.

3. As per prosecution case, on getting confidential information about keeping of contraband in the house of co-accused Shatrughan Chaupal, a raid was conducted and 115 gram of brown sugar was recovered apart from nepali currency of Rs.7700/-. The petitioner was apprehended from the said house. Two co-accused persons fled away from the spot.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. From the FIR it is apparent that the information was with



regard to co-accused keeping contraband in his house. The petitioner is the son of co-accused Shatrughan Chaupal and the recovery has been made from a joint house and the petitioner could not be fastened with the liability of the said recovery. Learned counsel further submits that, in fact, nothing incriminating has been recovered from the said house. The petitioner is aged about 19 years and at the time of raid he was present in the house and did not escape. The search and seizure has not been made following the provisions of law. The independent witnesses were not joined. Even other family members were not made witnesses in the seizure list. The persons, who conducted the raid, have been hostile to the petitioner's family as the wife of petitioner, namely, Rani Devi has lodged Complaint Case No. 251C of 2023 against the SSB personnel for their highhandedness and in retaliation thereof, the present false case has been lodged. Learned counsel further submits that, moreover, the recovered contraband is much less than the commercial quantity and considering the violation of Sections 42 and 50 of NDPS Act, the petitioner deserves to be enlarged on bail. The petitioner is having clean antecedent and he is in custody since 25.04.2025 and charge sheet has been submitted.



5. Learned APP opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the quantity of the contraband recovered and further considering the doubtful nature of allegation against the petitioner, his age, period of custody, clean antecedent and submission of charge sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge -cum- Special Judge, NDPS Act/concerned Court in connection with Basmatiya P.S. Case No. 23 of 2025, subject to the conditions mentioned in Section 480(3) of B.N.S.S. and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the



terms of the bail, the bail bond of the
petitioner will be liable to be cancelled
by the court concerned.

(Arun Kumar Jha, J)

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