

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53114 of 2025

Arising Out of PS. Case No.-29 Year-2025 Thana- RAXAUL District- East Champaran

Manoj Kumar @ Rohit Kumar @ Manoj Gupta S/o- Daya Shankar Gupta
Village- Kali Mandir Naga Road Ps- Raxaul Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Vinod Shanker Modi

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 31-07-2025 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 Raxual P.S. Case No. 29/2025 dated 15.01.2025 registered for the offences punishable u/s 30(a) of the Bihar Prohibition and Excise Act, Sections 20(b) (ii)(C), 21(b), 22(b), 23(c) and 29 of the N.D.P.S. Act.

3. As per the prosecution case, total 1.400 litres of illicit English liquor, 1.700 kgs charas, 10.86 mg smack, Onerex cough syrup 1.900 litres, Nitrazepam tables 139 pieces, Semplex plus tablets 24 pieces and total 590 grams ganja were recovered from the house of the co-accused, Raja Miyan.

4. Learned counsel for the petitioner has submitted



that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The name of the petitioner has transpired in this case on the confessional statement of the co-accused, Abulaish Miyan and Raja Hussain. The regular bail of the co-accused person has been rejected by this court vide order dated 14.07.2025 passed in Cr. Misc. No. 44232/2025. The petitioner has no concern with the alleged recovery. The petitioner has two antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 13.05.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that the seized contraband is less than commercial quantity.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, East Champaran, Motihari in connection with Raxaul P.S. Case No. 29/2025, with the condition :-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause,



the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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