

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65734 of 2025

Arising Out of PS. Case No.-441 Year-2024 Thana- RAXAUL District- East Champaran

Ravi Kumar Gupta @ Ravi Gupta @ Ravi @ Manoj Kumar Gupta Ram
Swaroop Gupta @ Ram Swarup Pd Gupta Resident of Village - Mauje Ward
No. 20, P.S. - Raxaul, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhurendra Kumar, Adv.

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 11-09-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Raxaul
P.S. Case No. 441 of 2024 arising out of N.D.P.S. G.R. Case No.
101 of 2024 instituted for the offence under Sections 8(c), 20(B)
(ii)(c), 21(b), 22(c) & 29 of the NDPS Act.

3. As per prosecution case, 1.590 Kg of *charas* and
100 gram of brown sugar including 32 pieces of used Onrex
Cough Syrup and 22 pieces of unused Onrex Cough Syrup have
been recovered from outside the hut.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 05-05-2025. Petitioner
bears six criminal antecedents, as per disclosure made in



paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. The petitioner was neither apprehended on the spot nor anything incriminating has been recovered from his possession. Name of the petitioner has surfaced in the case on the basis of confessional statement of co-accused, namely, Raja Hussain. The petitioner has no concern either with the seized contraband or the apprehended co-accused. There is no compliance of Sections 42 and 50 of the N.D.P.S. Act. Learned counsel for the petitioner mainly submits that co-accused, namely, Bhola Sah having similar allegation has been granted bail by a Co-ordinate Bench of this Court vide order dated 16-04-2025, passed in Cr. Misc. No. 17856 of 2025. Co-accused Vicky Chauhan has also been granted bail by this Court vide order dated 11.08.2025 passed in Cr. Misc. No. 51175 of 2025.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the petitioner has six criminal antecedents.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and the claim for bail being based on parity, this Court is inclined to grant bail to



the petitioner.

8. Let the petitioner be released on bail, *after framing of charge if not already framed*, on furnishing bail bonds of Rs. 15,000/- (Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Raxaul P.S. Case No. 441 of 2024, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

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