

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70183 of 2025

Arising Out of PS. Case No.-218 Year-2022 Thana- KUTUMBA District- Aurangabad

Rohit Kumar Mishra S/o- Radha Balam Mishra @ Radha Ballabh Mishra
Village- Barheta, P.S. Kutumba, District-Aurangabad

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Economic Offence Unit, Patna, Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajesh Kumar, Advocate
For the Opposite Party/s	:	Mr. Anil Kumar Singh No. 1, APP
For the EOU	:	Mr. V.N.P Sinha, Sr. Advocate
		Mr. Vijay Anand, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 22-12-2025 Heard Mr. Rajesh Kumar, learned counsel for the petitioner, Mr. V.N.P Sinah, learned senior counsel for the E.O.U and Mr. Anil Kumar Singh No. 1, learned Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since 14.09.2022 in connection with Kutumba P.S. Case No. 218 of 2022, F.I.R. dated 13.09.2022 for the offences punishable under Sections 8, 20(b) (ii) (c) 25, and 29 of the NDPS Act, 1985.

3. Earlier the regular bail application of the petitioner has been rejected twice by this Court vide order dated 01.12.2023 and 26.03.2025 passed in Cr. Misc. No. 6580 of 2023 and Cr. Misc. No. 88259 of 2024 respectively.

4. Learned counsel for the petitioner submits that



petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that as per the F.I.R, 26 kg Ganja has been recovered from the Swift Desire Car in question and 32 Kg of Ganja has been recovered from Tata Infra and the petitioner was in Swift Desire Car. He further submits that the petitioner is not the owner of the vehicle in question and the owner of the vehicle is Satrugan Kumar Singh who has been granted bail by this Court vide order dated 01.08.2025 passed in Cr. Misc. No. 41390 of 2025 and another co-accused, namely, Md. Akhtar has also been granted bail by this Court vide order dated 11.07.2025 passed in Cr. Misc. No. 86796 of 2024. He further submits that the petitioner is in custody since 14.09.2022 and the trial has not been concluded as yet.

5. Learned Additional Public Prosecutor as well as learned counsel for the EOU have vehemently opposed the prayer for bail of the petitioner and submits that out of 9 charge sheet witnesses, 7 witnesses have been examined.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 50,000/- (Fifty Thousand) with two sureties of the like amount each to the satisfaction of the learned District and Additional Sessions Judge 1st cum Special Judge (SC/ST, Children & NDPS Act), Aurangabad, Bihar in connection with



Kutumba P.S. Case No. 218 of 2022, subject to the following conditions:-

i. Petitioner shall co-operate 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 on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Vanisha/-

U		T	
---	--	---	--

