IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25518 of 2026

Arising Out of PS. Case No.-428 Year-2025 Thana- JAMOBAZAR District- Siwan

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Manoj Kumar Chaurasiya @ Manoj Chaurasiya S/o- Shambhu Chaurasiya R/v- Rachhopali Ps- Jamo Bazar Dist- Siwan

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Rakesh Kumar Shrivastava, Adv.
For the Opposite Party/s : Mr. Satyendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE GIRIJISH KUMAR

ORAL ORDER

4 20-08-2026 Heard the learned counsel appearing on behalf of the petitioner and the learned APP appearing on behalf of the State.

2. The petitioner seeks regular bail in connection with Jamo Bazar P.S. Case No. 428 of 2025, registered for the offense under Sections 8 and 20(b)(ii)B of N.D.P.S.

3. As per the prosecution case in brief, on 06.12.2025, the informant, S.H.O., Jamo Bazar Police Station, along with other police personnel, was conducting a special raid at Jogapur Kothi when he received secret information that Mantu Chaurasia and Manoj Kumar Chaurasia (petitioner) had concealed a huge quantity of Ganja-like substance in their house for sale. On information, the police reached the spot where two persons attempted to flee but were apprehended and disclosed their identities as Mantu Chaurasia and Manoj Kumar

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Chaurasia. Upon search of the house, 4.900 kg of Ganja-like substance was allegedly recovered.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and has falsely been implicated in this case. He further submits that nothing has been recovered from the conscious possession of the petitioner rather the recovery has been made from the outside of the house and from open space. He next submits that the quantity of the seized article is intermediate so rigorous of Section 37 of the N.D.P.S. Act would not apply against the petitioner. Learned counsel further submits that charge-sheet has already been submitted in this case and there is no allegation of tampering with the witnesses against the petitioner. He also submits that the co-accused has already been granted regular bail by Co-ordinate Bench of this Court vide order dated 07.05.2026 passed in Cr. Misc No. 30945 of 2026. He lastly submits that petitioner is in custody since 08.12.2025.

5. Per Contra, the learned APP for the State vehemently opposed the prayer for grant of regular bail to the petitioner and submits that 4.9Kgs of ganja was recovered from the conscious possession of the petitioner. He further submits that petitioner has three criminal antecedents and, therefore, the

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petitioner does not deserve to be enlarged on regular bail.

6. Considering the aforesaid facts and circumstances of the case and also the fact that the quantity of the seized article is 4.9Kgs, which is intermediate quantity and the charge-sheet has also been filed in this case as well as the fact that the co-accused has already been granted bail by Co-ordinate Bench of this Court vide order dated 07.05.2026 passed in Cr. Misc No. 30945 of 2026 as well as considering the period of custody, let the above named petitioner be released on bail, on furnishing bail bond of Rs. 20,000/- (Ten Thousand) with two sureties of the like amount to the satisfaction of the learned Sessions Judge, Siwan in connection with Jamo Bazar P.S. Case No. 428 of 2025, 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, their bail bond shall be cancelled by the Court below.

(ii) If the petitioner tamper with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(iii) And, further condition that the court below shall

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verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, 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.

7. It is made clear that any observation made herein is *prima facie* in nature and limited solely for the purpose of adjudication of the present bail application. Such observations shall not be construed as an expression on the merits of the case and shall not influence the trial or any other proceedings in any manner.

(Girijish Kumar, J)

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