

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32234 of 2023

Arising Out of PS. Case No.-15 Year-2022 Thana- D.R.I District- Patna

Ram Babu Ray S/O Late Gopi Ray R/O Village- Daudnagar, P.O-Daudnagar,
Chakgarho, P.S- Bidupur, Distt.- Vaishali.

... .. Petitioner/s

Versus

The Union of India through Directorate of Revenue Intelligence (DRI), Patna
Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 32183 of 2023

Arising Out of PS. Case No.-15 Year-2022 Thana- D.R.I District- Patna

VIKRAM KUMAR S/O SRI RAM BABU RAY R/O - DUDNAGAR, P.O-
DAUDNAGAR, CHAKGARHO, P.S- BIDUPUR, DISTT.- VAISHALI.

... .. Petitioner/s

Versus

The Union of India through Directorate of Revenue Intelligence (DRI), Patna.
Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 32234 of 2023)

For the Petitioner/s : Mr.Vijay Kumar Sinha

For the Opposite Party/s : Mr. Ranvir Kumar, UOI

(In CRIMINAL MISCELLANEOUS No. 32183 of 2023)

For the Petitioner/s : Mr.Vijay Kumar Sinha

For the Opposite Party/s : Mr. Ranvir Kumar, UOI

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

7 06-12-2023 Heard learned counsel for the petitioners and learned
counsel on behalf of the UOI.

The petitioners have prayed for bail in connection
with Special Case No. 03 of 2023, arising out of F.No.-
DRI/LZU/PRU/718(11)/ENQ-15/2022 instituted for the offence



under Sections 8(c), 20(b), 25 and 29 of the NDPS Act.

Prosecution case relates to recovery of 317.145 kg of ganja like narcotics substance from a truck bearing Reg. No. BR31-G-7435. These petitioners were apprehended on spot with the said vehicle by the police.

It is submitted by learned counsel for the petitioners that petitioners have been falsely implicated in this present case. It is further submitted that from perusal of the seizure list, it appears that the opportunity was not given to the petitioners for preparation of the seizure list in presence of Gazetted Officer rather the seizure list was prepared in presence of the officials of the DRI which is not permissible in the eye of law and also seizure list was not prepared on the place of recovery. Moreover, the petitioners are languishing in custody since 04.07.2022.

Learned APP appearing for the UOI has opposed the prayer of regular bail and submitted that both the petitioners were arrested on spot and huge quantity of Ganja like narcotics substance has been recovered which is much more than commercial quantity as per NDPS Act. It is also submitted by way of counter affidavit that the seizure list dated 03.07.2022 has been prepared by the officer of DRI, Patna as per the



provisions of the NDPS Act. So far as the allegation of petitioner's counsel for not preparing the seizure list on the place where the recovery has been made is also irrelevant because on the request of both the petitioners to conduct the further proceedings at any safe place, so the truck was brought to DRI office and then seizure list has been prepared as per NDPS rule.

Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioners on bail and, as such, their prayer for bail stands rejected.

The trial court is directed to expedite the trial and conclude the same as soon as possible.

(Sunil Kumar Panwar, J)

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