

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82125 of 2023

Arising Out of PS. Case No.-20 Year-2022 Thana- D.R.I District- Patna

Vicky Kumar @ Bicky Kumar Son of Dinanath Thakur @ Dina Nath Thakur,
R/o Pakri, ward no. 5, P.S. - Bidupur, Distt. - Vaishali.

... .. Petitioner/s

Versus

The Union of India through Intelligence Officer, Directorate of Revenue
Intelligence, Regional Unit Patna, Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md Fazle Karim, Advocate.
For the DRI : Mr. Ranvir Kumar, Senior Standing Counsel.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 11-01-2024 Heard learned counsel for the petitioner and learned
counsel for the Directorate of Revenue Intelligence.

2. The petitioner seeks regular bail in connection with
Special Case No.43 of 2023 arising out of DRI Patna Unit Case
No.20 of 2022-23, registered for the offences punishable under
Sections 20(b)(ii)(c),25 and 29 of the N.D.P.S. Act.

3. As per the prosecution case, from the ceiling inside
the Driver's cabin of the Tata truck 220.05 Kg ganja was
recovered and the petitioner was sitting in the said truck.

4. Learned counsel for the petitioner submits that the
petitioner is neither driver nor Khalasi nor the owner of the said
vehicle and he has been falsely implicated in this case on the
basis of suspicion only and he has no concern with the alleged



seized contraband. He further submits that nothing has been recovered from the conscious possession of the petitioner. He also submits that the trial of this case is going on in which 3 witnesses have been examined and petitioner is in judicial custody since 24.11.2022. Petitioner has no criminal antecedent.

5. On the other hand, learned counsel for the Directorate of Revenue Intelligence has opposed the prayer for regular bail of the petitioner and submits that commercial quantity of contraband has been recovered in this case and the petitioner is the named accused.

6. Considering the aforesaid facts and circumstances, particularly the recovery of commercial quantity of contraband, I am not inclined to enlarge the petitioner on bail. Accordingly, the prayer for bail of petitioner is rejected in connection with Special Case No.43 of 2023 arising out of DRI Patna Unit Case No.20 of 2022-23.

(Sunil Dutta Mishra, J)

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