

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18916 of 2025

Arising Out of PS. Case No.-33 Year-2021 Thana- N.C.B (GOVERNMENT OFFICIAL)
District- Patna

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Rahul Raushan S/o Sikandar Thakur Resident of Village- Baghari, Ward No.-
11, P.S.- Sursand, District- Sitamarhi

... .. Petitioner/s

Versus

The Union Of India

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar, Advocate

For the Union of India : Mrs. Shail Kumari, C.G.C.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

3 20-06-2025 Learned counsel for the petitioner and learned

counsel for the Union of India are present.

2. The petitioner seeks regular bail in connection with
C2 Case No. 02 of 2021 arising out of Government Official
Complaint P.S. Case No. 33 of 2021, dated 14.12.2021, under
Sections 8(c), 20(b)(ii)(c), 25 and 29 of the NDPS Act.

3. Learned counsel for the petitioner submits that the
bail application of the petitioner was dismissed as withdrawn
vide order dated 03.11.2022, passed in Cr. Misc. No. 23335 of
2022, and another bail application was earlier rejected vide order
dated 10.04.2024, passed in Cr. Misc. No. 7266 of 2024.

4. Learned counsel for the petitioner submits that the
criminal antecedent of the petitioner is clean and he has been in
custody since 14.12.2021. Counsel further submits that the
petitioner is innocent and he is, in fact, a victim in this case. It is
further submitted that the recovery was made from the vehicle in
which the petitioner was sitting, however, he is neither the driver



nor the owner of the said vehicle. This fact has come to light in the confessional statement of a co-accused. Counsel also submits that the accused Ram Babu Kumar @ Ram Babu, who is allegedly the kingpin and at whose instance the petitioner has been implicated, has been granted bail by this Hon'ble Court vide order dated 11.04.2025 passed in Cr. Misc. No. 1098 of 2025. It is further submitted that the petitioner is aged about 33 years, and his entire life would be ruined if bail is not granted to him.

5. Learned counsel for the Union of India vehemently opposes the prayer for bail and submits that the recovery is more than five times the commercial quantity, and the said recovery was made from the possession of the petitioner while he was sitting in the car.

6. In the present facts and circumstances of the case, and considering the submissions made above, this Court is not inclined to grant bail to the petitioner, as the seized quantity is more than the commercial quantity. Accordingly, the bail application of the petitioner is hereby rejected.

(Dr. Anshuman, J.)

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