

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.51542 of 2025**

Arising Out of PS. Case No.-21 Year-2024 Thana- D.R.I District- Patna

Raushan Kumar S/o Jitendra Chaudhary R/o Pratappur, Saheb ji ka Math,  
Patna City, P.S.- Mehandiganj, Distt- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. The union of India through the Directorate of Revenue Intelligence Regional unit, Patna, Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                                  |
|--------------------------|---|----------------------------------|
| For the Petitioner/s     | : | Mr. Abhimanyu Deo, Advocate      |
| For the Opposite Party/s | : | Mr. Kumar Veerendra Narayan, APP |
| For the DRI              | : | Mr. Ankit Katiar, Advocate       |
|                          | : | Mr. Rishi Sinha, Advocate        |

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA**

ORAL ORDER

5      19-11-2025                      Heard learned counsel for the petitioner, learned counsel for the DRI and learned APP for the State.

2. The petitioner seeks bail in connection with Special Case No. 49 of 2025 arising out of DRI, Patna Unit Case No. 21 of 2024 instituted for the offences under Sections 8(c), 20(b)(ii) (c), 25, 29 of the NDPS Act.

3. Prosecution allegation, in short, is that total 343.360 kilograms of *ganja* has been recovered in this case.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. The petitioner is in custody since 22.09.2024 and



has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. Learned counsel further submitted petitioner is only the *khalasi* of the truck in question from which the alleged recovery has been made and no incriminating article has been recovered from the conscious possession of the petitioner.

5. Learned A.P.P. for the State and learned counsel for the DRI vehemently opposed the prayer for grant of bail to the petitioner. Learned A.P.P. as well as learned counsel for the DRI submitted that recovered contraband is above the commercial quantity, hence, there is bar under Section 37 of the N.D.P.S. Act.

6. Considering the aforesaid facts and circumstances of the case and recovery of contraband beyond commercial quantity coupled with embargo under Section 37 of the N.D.P.S. Act, this Court is not inclined to grant bail to the petitioner.

7. The prayer is rejected.

**(Rudra Prakash Mishra, J)**

Alok Verma/-

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