

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50955 of 2025

Arising Out of PS. Case No.-31 Year-2023 Thana- D.R.I District- Patna

1. Prem Prakash S/o Amra Ram R/o village- Balaji Nagar, PO- Peelwa, PS- Lohawat, Dist- Jodhpur, Rajasthan
2. Subhash S/o Amra Ram R/o village- Balaji Nagar, PO- Peelwa, PS- Lohawat, Dist- Jodhpur, Rajasthan

... .. Petitioner/s

Versus

The Department of Directorate of Revenue Intelligence, Regional Unit Patna,
Malaynil, Buddha Colony Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Abhishek Anand, Advocate
For the Respondent	:	Mr. Vikas Kumar, Sr. Standing Counsel
		Mr. Amit Kumar Singh, Advocate
		Mr. Sanjay Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 01-08-2025 Heard learned counsel for the petitioners and learned
counsel for the Union of the India.

2. This is the second attempt on behalf of the
petitioners for grant of bail in connection with NDPS/DRI Case
No. 31/2022-23 registered for the offence punishable under
Sections 17/18/29 of the NDPS Act.

3. Earlier the bail application of the petitioners have
been rejected vide order dated 31.07.2024 passed in Cr. Misc.
No. 31739 of 2024, which reads as under:

*“Heard learned counsel for the
petitioner and learned Additional Public
Prosecutor for the State.*

2. The petitioner seeks bail in



connection with NDPS/DRI Case No. 31/2022-23 registered for the offence punishable under Sections 17/18/29 of the NDPS Act.

3. There is recovery of 67 Kgs. of Opium.

*4. Learned Senior Counsel for the petitioner submits that the opium seized is not from the possession of the petitioner. Learned Senior Counsel for the petitioner further submits that the confessional statement of the petitioner before the D.R.I. cannot be considered against him as has been held by the Hon'ble Supreme Court in the case of **Tofan Singh vs. State of Tamil Nadu** reported in **(2021) 4 SCC 1**. The petitioner is in jail since 17.03.2023.*

5. Considering the huge quantity of recovery, this application is dismissed."

4. Leaned counsel for the petitioners himself submits that only two witnesses are yet to be examined.

5. Considering the huge recovery of 67 Kgs. of Opium and the fact that the trial is on the verge of conclusion, I am not inclined to grant bail to the petitioners.

6. Accordingly, this application stands dismissed.

(Sandeep Kumar, J)

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