

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89666 of 2024

Arising Out of PS. Case No.-5 Year-2021 Thana- D.R.I District- Patna

Satendra Rai @ Satendra Ray S/O- Late Ram Briksh Ray @ Rambriksh Rai
@ Tiger Singh Village- Rustampur Ps- Raghapur Dist- Vaishali

... .. Petitioner/s

Versus

The Union Of India through Deputy Director, Directorate of Revenue
Intelligence, Patna, Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ganesh Prasad Singh, Advocate
For the DRI : Mr. Ankit Katriar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 24-02-2025 Heard Mr. Ganesh Prasad Singh, learned counsel
for the petitioner and Mr. Ankit Katriar, learned counsel for the
Directorate of Revenue Intelligence.

2. The petitioner seeks bail, who is in custody since
21.09.2021, in connection with Special (NDPS) Case No. 133 of
2021 arising out of DRI P.S. Case No. 05 of 2021, for the
offences punishable under Sections 20, 25 and 29 of the
N.D.P.S. Act.

3. Earlier the prayer for bail of the petitioner was
rejected vide order dated 27.07.2023 passed in Cr. Misc. No.
10348 of 2023.

4. Learned counsel for the petitioner submits that
the petitioner is innocent and he has falsely been implicated in
the present case. He further submits that as per the allegation in



the F.I.R. altogether 382.500 of Ganja has been recovered from the truck in question. He further submits that from a bare perusal of the FIR as well as seizure list it appears that nothing has been recovered from the conscious possession of the petitioner rather the recovery have been made from the truck in question and the petitioner has no concern at all with the alleged recovery of the illicit contraband or the truck in question. He further submits that co-accused person, namely, Jagdish Kumar, who has been arrested along with the petitioner, has already been granted bail by this Court vide order dated 03.12.2024 passed in Cr. Misc. No. 42392 of 2024.

5. Mr. Ankit Katriar, learned counsel appearing on behalf of the D.R.I. has vehemently opposed the prayer for bail of the petitioner and submits that total 382.500 Kg of ganja has been recovered from the truck in question and the petitioner was apprehended from a Wagon-R car which was coming from the backside of the truck and it has come during the investigation that the petitioner was also involved in the present crime in question. Although, the co-accused person has been granted bail by this Court but it appears from paragraph no.3 of the bail petition that the petitioner carries three more cases other than the present one and it appears that the petitioner is an accused in



another case relating to N.D.P.S. matter which is still pending since 2016 and the co-accused person who has been granted bail by this Court carries one criminal antecedent and no NDPS matter was pending against that co-accused person, namely, Jagdish Kumar who has been granted bail by this Court vide order dated 03.12.2024 passed Cr. Misc. No. 42392 of 2024. So, the petitioner can not claim parity on the above said co-accused person.

6. Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail Special (NDPS) Case No. 133 of 2021 arising out of DRI P.S. Case No. 05 of 2021 pending in the Court of learned Exclusive Special Judge (NDPS Act) Court No.1, Patna.

7. Prayer is refused.

8. However the learned Trial Court is directed to expedite the trial and conclude the same at the earliest.

(Rajesh Kumar Verma, J)

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