

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1972 of 2025

Arising Out of PS. Case No.-11 Year-2022 Thana- D.R.I District- Muzaffarpur

Mithilesh Kumar Ray @ Mithilesh Kumar, aged about 19 years S/O Umesh Yadav @ Umesh Rai R/O Village-Bhuapar, PS-Pandarak, Distt-Patna, through his father Umesh Yadav @ Umesh Rai S/O Jugal Ray R/O Bhuapar, PS-Pandarak, Distt-Patna

... .. Appellant/s

Versus

1. The State of Bihar
2. Directorate of Revenue Intelligence, Muzaffarpur Bihar BiharN

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Praveen Kumar
For the Respondent/s	:	Mr. Anand Mohan Prasad Mehta

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

10 30-01-2026 Heard learned counsel appearing on behalf of the parties.

2. The appellant seeks bail in connection with DRI Case No.11 of 2022-2023 registered for the offence under Sections 8(c), 20(ii)(c), 25 and 29 of the NDPS Act.

3. As per allegation in the F.I.R., there is total recovery of 112 K.Gs. of contraband like Ganja from a Truck bearing Registration No.WB05 6057 near Maniyari toll Plaza.

4. Learned counsel appearing on behalf of the appellant submits that the present appellant has been declared juvenile *vide* order dated 31.07.2024 by the learned Juvenile Justice Board, Muzaffarpur. He next submits that the present



appellant is a driver of the said truck and he had no knowledge about the consignment of the contraband like Ganja. He further submits that alleged recovery of Ganja was not made from conscious possession of the appellant. He further submits that the appellant is a man of clean antecedent and he is in custody since 23.01.2023. Learned counsel for the appellant contends that earlier prayer for regular bail of the appellant was rejected by this Court *vide* order dated 20.02.2024 in Cr. Misc. No. 67148 of 2023 wherein learned trial Court was directed to expedite the trial but the present stage of trial is that prosecution witnesses has not been examined as yet. He, lastly, submits that the appellant is in custody since more than three years and it will take more time to conclude the trial, so the appellant may be enlarged on bail.

5. Learned counsel appearing for the respondents opposes the prayer for bail of the appellant and submits that the alleged recovery of Ganja was much more than commercial quantity.

6. On perusal of the materials available on record and status report of the learned District and Additional Sessions Judge Children's Court 1st, Muzaffarpur *vide* Letter No. 283 of 2025 wherein it is mentioned that for concluding the trial of the



present case one more year time is required. Thus, it seems that the .trial is not likely to be concluded in near future. Considering the aforesaid facts and circumstances of the case, the bail application of the appellant is hereby allowed.

7. Let the above named appellant be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge 1st, Muzaffarpur / concerned Court in connection with DRI Case No.11 of 2022-2023.

(Ramesh Chand Malviya, J)

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