

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59241 of 2025

Arising Out of PS. Case No.-196 Year-2024 Thana- D.R.I District- Muzaffarpur

Jay Prakash Chaudhari @ Jay Prakash Chaudhary S/O Shree Ruplal Chaudhari Resident of Village- Dariya Chhapra, P.S.- Motipur, District- Muzaffarpur

... .. Petitioner/s

Versus

- 1. The State of Bihar
- 2. The Director of Revenue Intelligence, Government of India

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Rajpati, Adv.
Mrs. Durga Kumari, Adv.
Mrs. Parishmita Bora, Adv.
For the State : Mr. Sanjay Kumar Pandey, APP
For the D.R.I. : Mr. Amrit Pandey, Sr. SC, DRI
Mr. Ankit Kr. Singh, Jr. SC, DRI

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

6 10-02-2026 Heard learned counsel for the petitioner; learned counsel for the Directorate of Revenue Intelligence and the learned APP for the State.

2. The petitioner has prayed for bail in connection with D.R.I. Case No. 07 of 2024-25 (NDPS Case No. 196 of 2024) registered for the offence punishable under Sections 8(c), 20, 27 & 29 of the N.D.P.S. Act and the cognizance has been taken under Sections 20, 27A and 29 of the N.D.P.S. Act.

3. The case of the prosecution, in short is that upon secret information regarding the transportation of *Ganja*, the officers of DRI, Regional Unit, Muzaffarpur, intercepted a person sitting on berth no. 41 of sleeper coach no. S-8 of Train No. 22643 on 03.10.2024 at 06:00 PM at Mokama station, before two



panches. The intercepted person disclosed himself as Jay Prakash Chaudhari (the petitioner), aged about 27 years. In the preliminary inquiry of smuggling of ganja, the petitioner denied it and said that his black-colored Aristocrat clothes and trolley bag is full with his clothes, but the officer told him that they have specific information regarding transportation of ganja in his black-colored Aristocrat trolley bag. It is further alleged that in a detailed examination of the said trolley bag, conducted at the DRI office in Muzaffarpur before the above-named accused persons and two independent witnesses, panches when the trolley bag was opened, and the substance found inside the bag containing the substance believed to be ganja, were recovered from the said trolley bag. It is alleged that altogether 14 kg and odd of *ganja* was recovered from the said trolley bag.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. He also submits that the trolley bag, which was searched, does not belong to the petitioner. He also submits that from perusal of the forwarding memo of the DRI, it is clear that even the DRI was not confirmed whether the substance was *ganja*, as they have used the word "substance believed to be ganja." He also submits that DRI has also filed a counter, but even in their counter, they have not



whispered a single word as to what the result in the *FSL* examination was. So it is only the belief of the DRI that the substance that has been recovered from the said trolley bag is *ganja*. He further submits that the alleged substance, even for a moment considered to be *ganja*, is also less than a commercial quantity, though more than a small quantity. Moreover, a statement has been made in para 3 of the petition that petitioner has no criminal antecedent and he is languishing in judicial custody since 04.10.2024.

5. The application for bail is opposed by learned APP for the State and the learned counsel for the DRI.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge-cum-Special Judge-I, (N.D.P.S.), Muzaffarpur in connection with DRI Case No. 07 of 2024-25 (NDPS Case No. 196 of 2024).

(Ashok Kumar Pandey, J)

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