

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28936 of 2023

Arising Out of PS. Case No.-7 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Patna

=====

Arvind Kumar Son of Doman Ray, R/o Village- Saidabad Mohanpur, P.S.-
Raghopur, District- Vaishali

... .. Petitioner/s

Versus

The Union of India through the Director, Narcotics Control Bureau, Patna,
Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Anil Chandra, Advocate

For the Opposite Party/s : Mrs. Chhaya Mishra, CGC

=====

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 19-07-2023 Heard Mr. Anil Chandra, learned counsel appearing

on behalf of the petitioner and Mrs. Chhaya Mishra, learned

counsel representing the Union of India.

2. The petitioner seeks regular bail in connection with

Special Case No. 103 of 2020, arising out of F. No. NCB/ PZU /

V/ 07 of 2020, registered for the offences punishable under

Sections 8(c) read with Section 20(b)(ii)(c), 25 and 29 of the

Narcotic Drugs and Psychotropic Substances Act.

3. This is the second attempt made on behalf of the

petitioner for grant of bail, as earlier the prayer for bail of the

petitioner was turned down by this Court vide order dated

27.04.2022 passed in Cr. Misc. No. 50861 of 2021 after taking

into consideration a huge quantity of recovery of Ganja from the



truck of which the petitioner was one of the occupant.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is languishing in jail since 17.07.2020 and even after completion of three years, till date only one witness has been examined, out of six charge-sheet witnesses. He further submits that there is no likelihood of conclusion of trial in near future, apart from the fact that the petitioner was not the Khalasi/cleaner of the truck, as has been alleged in the F.I.R.

5. The aforesaid contention has been refuted by the learned counsel representing the Union of India and she vehemently opposes the prayer for bail on the ground that a huge quantity i.e. more than 1400 Kg. of Ganja was recovered from the truck and the petitioner was caught red handed at spot.

6. Considering the submissions made on behalf of the parties, this Court finds that there is no cogent and overwhelming circumstances warranting reconsideration of the earlier order rejecting the prayer for grant of bail of the petitioner. However, it is expected that the learned trial court will take all the endeavour to conclude the trial as early as possible.

7. If there would not be any substantive progress in



the trial, the petitioner would be at liberty to renew his prayer
for bail after six months.

8. Accordingly, the prayer for bail of the petitioner
stands rejected.

(Harish Kumar, J)

uday/-

U		T	
---	--	---	--

