

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46788 of 2023

Arising Out of PS. Case No.-2 Year-2021 Thana- N.C.B (GOVERNMENT OFFICIAL)
District- Aurangabad

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Mukesh Kumar son of Vinod Sah @ Vinod Prasad Village- Birampur Ps-
Kolibar Dist- Bhojpur Petitioner/s

Versus

1. The State of Bihar
 2. The Union of India, through N.C.B. Bihar, Patna Bihar
- Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma, Sr. Advocate
		Mr. Yogesh Kumar, Advocate
		Mr. Mohit Srivastava, Advocate
For the Opposite Party/s :		Mr. Satyendra Narayan Singh, APP
For the NCB (UOI)	:	Mr. Praveen Kumar Sinha, Advocate

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

5 06-10-2023 Heard Mr. Yogesh Chandra Verma, learned senior counsel duly assisted by Mr. Mohit Srivastava, learned counsel appearing on behalf of the petitioner, Mr. Praveen Kumar Sinha, learned senior panel counsel for the Union of India and the learned APP for the State.

2. An application for grant of bail to the petitioner, who is in custody in connection with N.C.B. Case No. 02 of 2021 registered for the offence punishable under Sections 8(c), 20(b)(ii)(c), 25 and 29 of the N.D.P.S. Act.

3. This is the second attempt made on behalf of the petitioner renewing his prayer for bail, as earlier, the prayer for bail was negated by this Court vide order dated 06.09.2022 in Cr. Misc. No. 56651 of 2021, after taking into consideration the materials available on record, especially, the fact that the



petitioner is one of the occupant of the Honda City car, which is allegedly escorting the Truck (Tata 407) from where 300 Kg Ganja was recovered, and thus considering the materials as also the rigours prescribed under Section 37(i)(b) of the N.D.P.S. Act, the prayer of the petitioner was rejected.

4. On the other hand, learned counsel for the Union of India submits that the trial is in the progress and two witnesses have already been examined.

5. Learned APP for the State also opposes the bail application.

6. At this stage, after some arguments, learned senior counsel seeks permission to withdraw this application with a liberty to renew his prayer for bail, after completion of the period of incarceration of three years.

7. In view thereof, the present application stands dismissed as withdrawn.

8. It is expected that the learned trial Court shall take all the endeavours to conclude the trial, as early as possible.

(Harish Kumar, J)

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