

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63243 of 2022

Arising Out of PS. Case No.-08 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- East Champaran

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AJIJUL RAHMAN @ AZIZUL RAHMAN Son of Safi Ahmad R/V- Ward
No- 2, Masahi @ Mehasi, P.S- Chhauradano, Dist- East Champaran
... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. The Union of India, N.D.P.S Govt. of India

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Sunil Kumar No.III, Adv.
For the Opposite Party/s	:	Mr.Ram Sevak Choudhary, APP
For the UOI	:	Mr. Manoj Kumar Singh, CGC
		Mr. Ankit Kumar Singh, J.C. to CGC.

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 18-04-2023 Heard learned counsel for the petitioner and learned
counsel appearing for the Union of India.

The petitioner seeks bail in connection with NDPS Case
No. 10 of 2018 arising out of NCB Case No. PZU/V/08 of 2018
registered for the offence under Sections 08 and 20 of the NDPS Act.

Recovery is of 27.5 Kgs. of Charas.

This is the fourth occasion renewing the payer for bail on
behalf of the petitioner after refusal of his bail prayer for three
times by a co-ordinate Bench of this Court vide order dated
29.04.2019, 06.10.2019 and 29.09.2021 passed in Cr. Misc. No.
16075 of 2019, Cr. Misc. No. 85427 of 2019 and Cr. Misc. No. 36661
of 2021, respectively, the petitioner is before this Court.

Since the case of the petitioner has already thrice been
adjudicated on the point of bail by a co-ordinate Bench of this Court,
this Court do not feel inclined to dive deep into the merits of the



case even for the purpose of bail.

However, with intent to see the substantial progress of the trial, a report with regard to present stage of the trial had been called for by this Court vide order dated 20.03.2023 which has been received and forms part of this application at Flag-R. On perusal thereof, it would reveal that the examination of prosecution witnesses have been closed and now the case is running for examination of defence witnesses.

Learned counsel appearing for the petitioner referring to the aforesaid report submits that the trial of this case is not likely to be concluded in near future and the petitioner is languishing in judicial custody since 11.12.2018 i.e more than four year.

Considering the quantum of recovery of Charas in this case as well as the mandate of Section 37 of the NDPS act and also the present stage of the trial which appears to have substantial progress, this Court is not inclined to enlarge the petitioner on bail at this stage. Accordingly, the prayer for grant of bail to the petitioner is rejected.

However, learned trial court is directed to expedite the trial and try to conclude it as early as possible.

(Rajesh Kumar Verma, J)

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