

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24491 of 2024

Arising Out of PS. Case No.-16 Year-2019 Thana- D.R.I District- Patna

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ROHITASH SINGH SON OF LATE KARNI SINGH R/O-READY, P.S.-
SHAWA, DISTT.-CHURI, STATE-RAJASTHAN.

... .. Petitioner/s

Versus

THE UNION OF INDIA THROUGH DRI, PATNA BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Mishra

For the Opposite Party/s : Mr.K.N.Singh (A.D.S.G)

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR

ORAL ORDER

4 05-07-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in connection with

Special Case No. 168 of 2019 registered for the offence under

Sections 8(C)/20/25 of the NDPS Act.

3. Earlier bail application of the petitioner was

rejected. The petitioner has been found smuggling more than

833 Kg of Ganja.

4. Mr. Ashok Mishra, learned counsel for the

petitioner has relied upon a recent judgment of the Hon'ble

Supreme Court passed in the case of *Javed Gulab Nabi Sheikh*
Vs. The State of Maharashtra and Anr. passed in *Cr. Appeal*
No. 2787 of 2024 and has submitted that the petitioner deserves

bail because he is in jail since 26.11.2019 and the trial is being

delayed by the DRI which is a government agency.

5. It is an admitted position that out of seven

prosecution witnesses, only two have been examined.



6. The Advocate for DRI has submitted that the DRI will produce the witnesses regularly in the trial so that, it may not be delayed.

7. Considering the aforesaid submission of learned counsel for the DRI, this application is dismissed.

8. It is expected that the trial of the petitioner is concluded at the earliest, preferably within six months from today failing which the petitioner may renew his prayer for bail.

9. In case the witnesses are not produced by the DRI, the Exclusive Special Judge (NDPS)2, Patna will take appropriate action against the officer who is in charge of Patna Regional Unit of DRI.

10. With the aforesaid observations and directions, this application is dismissed.

11. Let a copy of this order be communicated to the Exclusive Special Judge (NDPS)2, Patna through FAX for its compliance forthwith.

(Sandeep Kumar, J)

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