

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47680 of 2024

Arising Out of PS. Case No.-8 Year-2020 Thana- N.C.B (GOVERNMENT OFFICIAL)
District- Patna

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Saistanand Ray @saistanand Rai Son Of Munshi Ray Village- Bagh (Baig)
Said Khan, Chechar, P.S.- Vidupur, Distt.- Vaishali

... .. Petitioner/s

Versus

The Union of India through NCB, Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Alok Anand, Advocate
For the U.O.I. (NCB)	:	Mr. Radhika Raman, Sr. CGC
		Mr. Ram Tujabh Singh, CGC

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 09-08-2024 Heard Ld. counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks regular bail in connection with
Special Case No. 127 of 2020 arising out of F. No.-
NCB/PZU/V/08/2020/01-09-2020, dated 01.09.2020 registered
for the offences punishable under Section 8(c) read with
Sections 20(b)(ii)(c), 25 and 29 of the NDPS Act, 1985.

3. Ld. counsel for the petitioner submits that the
petitioner had moved this Court earlier for regular bail *vide* Cr.
Misc. No. 56946 of 2021 and Cr. Misc. No.75289 of 2023. Cr.
Misc. No. 56946 of 2021 was rejected *vide* order dated
15.11.2022, with an observation that if the trial is not concluded



within nine months, the petitioner would be at liberty to renew his prayer for bail. Subsequently, the Petitioner moved this Court with Cr. Misc. No.75289 of 2023, which was also rejected vide order dated 22.12.2023. However, giving three months more to Ld. Trial Court to conclude the trial, failing which the Petitioner was given liberty to renew his prayer for bail. He further submits that since the trial has not been concluded in the stipulated time, the petitioner, vide present application, has renewed his prayer for bail.

4. He further submits that the petitioner is languishing in jail since 01.09.2020.

5. It transpires from the order dated 16.04.2024, passed by Ld. Exclusive Special Court (NDPS) NO.02, Patna in Special NDPS Case No. 127 of 2020, the trial is not completed yet.

6. Considering the aforesaid facts and circumstances, particularly the fact that the despite two opportunities, the Trial Court has not concluded the Trial and Petitioner is in jail since 01.09.2020 i.e. about four years, **this application is allowed**, directing the petitioner, above named, to be enlarged on bail on his furnishing bail bond in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the



satisfaction of Ld. Exclusive Special Court (NDPS) NO.02, Patna in connection with Special Case No. 127 of 2020 arising out of F.No.- NCB/PZU/V/08/2020/01-09-2020 on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/Court as and when required.

(ii) The petitioner will undertake that investigation/trial will not hamper on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedent, Ld. Court below shall cancel the bail bond of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedent despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding the previous bail petition is wrong, Ld. Court below shall cancel the bail bond of the



petitioner.

(Jitendra Kumar, J.)

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