

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56013 of 2024

Arising Out of PS. Case No.-1 Year-2011 Thana- N.C.B (GOVERNMENT OFFICIAL)
District- Patna

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Chhote Lal Thakur S/o Late Mohan Lal Thakur R/o House No. 14/269,
Sarvodaya Nagar, P.s. - Raxaul, Distt. - East Champaran

... .. Petitioner/s

Versus

The Union of India (N.C.B.) Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Devi Das Srivastava, Advocate
For the Opposite Party/s : Mr. K.N.Singh (A.D.S.G)

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 25-11-2024 Heard learned counsel for the petitioner and learned
counsel for Union of India.

2. The petitioner is in custody in connection with
Special Case No. 48(A)/2011 arising out of N.C.B. Case No.
NCB/PZU/V/01/2011-857 for the offence under Section 20 of
the N.D.P.S. Act lodged on 15.12.2011.

3. As per the prosecution story, the informant, official
of Narcotic Control Bureau, Patna Zone alleged that it raided
the Karbigahiya side Patna Railway Junction and from Vijay
Kumar Chaurasiya, 26 bags of brown colour semi solid
substance weighing 12.150 Kg Hasis/Charas like substance is
recovered/seized. It was informed by him that it has been
supplied by this petitioner which led to his implication.



4. Learned counsel for the petitioner submits that nothing has been recovered from his conscious possession and only on the basis of confessional statement of Vijay Kumar Chaurasiya and one Aurn Kumar, who is his son, implicated. He is in custody since 19.04.2024 (para-4 of the petition).

5. Mrs. Shail Kumari, learned counsel for the Union of India, on the other hand, taken this Court to the fact that in the year 2011, the recovery/seizure made, the arrested person confessed to crime involving this petitioner also and it took him eleven years to finally come in judicial custody.

6. Considering the aforesaid facts as also his direct implication, coupled with the fact that he delayed the trial for ten long years, in that background, this Court is not inclined to extend him any relief.

7. Accordingly, the bail application stands rejected.

8. Since the matter is of the year 2011, it would be expected from the trial Court that the matter will be taken to its logical conclusion at an earliest.

(Rajiv Roy, J)

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