

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57679 of 2023

Arising Out of PS. Case No.-44 Year-2018 Thana- N.C.B (GOVERNMENT OFFICIAL)
District- Patna

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KUNAL RAI S/O BRIJNANDAN RAI R/O VILLAGE- RAMPUR SHYAM
CHAND, P.S- RAGHOPUR, DISTT.- VAISHALI.

... .. Petitioner/s

Versus

THE UNION OF INDIA THROUGH THE DIRECTOR NARCOTICS
CONTROL BUREAU, PATNA. BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Soni Kumari, Adv.
For the Opposite Party/s : Mr. K.N.Singh (A.D.S.G)

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

6 07-03-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Special Case No.118 of 2018 arising out of Complaint Case
bearing No. N.C.B. Case No. 44 of 2018 dated 13.10.2018
instituted under Sections 8, 20 and 29 of the Narcotic Drugs and
Psychotropic Substances Act, 1985.

3. As per allegation in the FIR, total 732 kgs of *ganja*
has been recovered which is the subject matter of the present
case.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
also submits that the bail application of the petitioner was
rejected twice. Firstly, *vide* order dated 18.12.2019 passed in Cr.
Misc. No.46583 of 2019 and secondly *vide* order dated
03.02.2021 passed in Cr. Misc. No.1384 of 2021. Counsel



further submits that the criminal antecedent of the petitioner is clean and he is in custody since 12.10.2018 i.e. about more than five years.

5. It transpires to this Court that earlier, this Court has called for the progress of the trial and it has been intimated in the said report that evidence of prosecution witness has been completed and the case is pending at the statement of accused under section 313 Cr.P.C. and there is likelihood that the trial shall be concluded within six months.

6. Learned APP for the State opposes the prayer for bail of the petitioner.

7. In the present facts and circumstances, this Court is not inclined to grant regular bail to the petitioner at present.

8. Accordingly, the prayer for regular bail of the petitioner in connection with Special Case No.118 of 2018 arising out of Complaint Case bearing No. N.C.B. Case No. 44 of 2018, pending before the learned Additional District & Sessions Judge-XV, Patna is **hereby rejected**.

(Dr. Anshuman, J.)

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