

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71850 of 2022

Arising Out of PS. Case No.-6 Year-2020 Thana- D.R.I District- Patna

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1. CHANNOOLAL @ CHANNULAL YADAV Son of Late Suvarth Resident of Village - Salahuddinpur, P.S.- Bakhra Didarganj, District - Azamgarh, Uttar Pradesh.
 2. Rahul Kumar Yadav @ Rahul Kumar Son of Channoolal @ Channulal Yadav Resident of Village - Salahuddinpur, P.S.- Bakhra Didarganj, District - Azamgarh, Uttar Pradesh.

... .. Petitioners

Versus

The Union of India through DRI (Director of Revenue Intelligence), Patna.
Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Praveen Kumar Agrawal, Advocate
For the Opposite Party/s : Mr. Ranvir Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 11-01-2024 Heard learned counsel for the parties.

2. Petitioners in the present case have renewed his prayer for regular bail in connection with Special (NDPS) Case No. 145 of 2020 arising out of DRI Unit Case No. 06 of 2020-21 registered for the offences under Sections 8(c) read with Section 9(a) punishable under Sections 21, 25 and 29 of the Narcotic Drugs and Psychotropic Substances (N.D.P.S.) Act.

3. Earlier, their prayer for regular bail was rejected by this Court vide order dated 26.08.2021 passed in Cr. Misc. No. 12864 of 2021 by a reasoned order.

4. At this stage, the only submission made on behalf of the petitioners is that the petitioners are in custody in connection with this case since 28.09.2020 but the trial has yet not concluded.

5. Earlier, this Court had called for a report from the learned trial court which has been received vide Letter No. 212 dated 8th of January, 2024. The learned trial court has informed that the case is pending for defence evidence and the trial is likely to be concluded in three months.

6. Learned standing counsel representing Union of India submits that a mere period of custody of over three years cannot be a ground to release the petitioners on bail when the trial itself is likely to be concluded within three months.

7. Having regard to the facts and circumstances of the case and the report of the learned trial court saying that the trial itself is likely to be concluded in three months, this Court is not inclined to grant privilege of bail to the petitioners. Their prayer is refused.

8. The learned trial court must proceed with the trial on day to day basis and conclude the same within the aforesaid period which has been indicated in its report.

9. This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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