

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75638 of 2023

Arising Out of PS. Case No.-20 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- East Champaran

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Raju Prasad Patel @ Raju Patel Son Of Pradip Prasad @ Shri Pradeep Prasad
Patel Resident Of Village Dumariya, Po Pakhria, Ps Bairiya, Distt - West
Champaran

... .. Petitioner/s

Versus

1. The Union of India through Regional Director Narcotics Central Bureau,
Patna, Bihar
2. The Regional Director Narcotics Central Bureau Patna Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar Mishra, Advocate
For the UOI : Ms. Kanak Verma, CGC

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 23-02-2024 Heard Mr. Awadhesh Kumar Mishra, learned
counsel for the petitioner and Ms. Kanak Verma, learned
counsel appearing on behalf of the Union of India.

2. Petitioner seeks bail who is in custody since
22.10.2019 in connection with NDPS Case No. 71 of 2019
arising out of NCB Case No. PZU/V/20/2019 for the offences
punishable under Sections 20, 25, 27A and 29 of the NDPS Act.

3. Earlier the bail application of the petitioner was
rejected by this Hon'ble Court vide order dated 09.04.2021
passed in Cr. Misc. No. 20 of 2021. Thereafter, the petitioner
has again moved before this Hon'ble Court in Cr. Misc. No.
68371 of 2023 which was permitted to be withdrawn vide order



dated 27.03.2023 with the liberty to move before the learned court below.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that pursuant to the aforesaid direction, the petitioner has moved before the learned Trial Court and the learned Trial Court has rejected the bail application of the petitioner on the ground that the recovery has been made from the truck in question and the petitioner was apprehended along with the contraband i.e. Ganja and altogether 290 kg of Ganja has been recovered from the possession of the petitioner.

5. Although, Union of India has filed a detailed counter affidavit but vide order dated 10.11.2023 a report was called with regard to the present stage of trial. Report of the learned Trial Court dated 10.01.2024 reveals that out of 7 prosecution witnesses only 2 witnesses have been examined but the learned counsel appearing on behalf of the UOI informs that today itself 2 more witnesses have been examined, hence, out of 7 witnesses, 4 witnesses have been examined.

6. The learned counsel appearing on behalf of Union of India has vehemently opposed the prayer for bail of the



petitioner.

7. Considering the aforesaid facts and circumstance, I am not inclined to enlarge the petitioner on bail in connection with NDPS Case No. 71 of 2019 arising out of NCB Case No. PZU/V/20/2019 pending in the court of learned 1st Additional Judge, East Champaran, Motihari.

8. Prayer is refused.

9. However, learned Trial Court is directed to expedite and conclude the trial at the earliest.

(Rajesh Kumar Verma, J)

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