

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.7741 of 2024**

Arising Out of PS. Case No.-2 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.  
District- Bhojpur

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Deepak Kumar Son of Dev Das Ram, Resident of Village - Basti More,  
Lashkari Ganj, P.S. - Sasaram Town, District - Sasaram at Rohtas.

... .. Petitioner/s

Versus

The Union of India through Zonal Director NCB, Patna, Bihar.

... .. Opposite Party/s

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**Appearance :**

|                      |   |                                  |
|----------------------|---|----------------------------------|
| For the Petitioner/s | : | Mr. Y.C. Verma, Sr. Advocate     |
| For the UoI          | : | Mr. Awadhesh Kr. Pandey, Sr. CGC |
|                      |   | Mr. Arvind Kumar, CGC            |
|                      |   | Mr. Lokesh, Advocate             |

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

6      04-07-2024                      Heard Mr. Y.C. Verma, the learned senior counsel  
  
for the petitioner and Mr. Awadhesh Kr. Pandey, the learned  
  
senior CGC for the Union of India.

2.                      Petitioner seeks regular bail who is in custody since  
  
17.06.2022, in connection with NDPS Case No. 60 of 2022,  
  
arising out of NCB Case No. 2 of 2022, FIR dated 15.01.2022,  
  
registered for the offences punishable under Sections 21(c),  
  
22(c) and 29 of the NDPS Act.

3.                      Earlier the petitioner has moved before this  
  
Hon'ble Court in Cr. Misc. No. 64128 of 2022, which was  
  
rejected vide order dated 11.04.2023.

4.                      According to the prosecution case, upon receiving



information that one Jai Prakash Singh is carrying huge amount of Alprazolam in a bag and who is travelling in a bus that is scheduled to reach Ara, the informant along with NCB officers reached at Ara bus stand and apprehended Jai Prakash Singh and seized two kgs of Alprazolam. It is further alleged that upon interrogation, Jai Prakash Singh disclosed the name of the petitioner.

5. Learned counsel for the petitioner submits that upon perusal of the FIR and seizure list, it appears that nothing has been recovered from the conscious possession of the petitioner and on the basis of confessional statement of the co-accused person namely, Jai Prakash Singh, the name of petitioner has transpired in the present case and except the aforesaid, no other cogent material has come during investigation which suggests the involvement of the petitioner in the present occurrence.

6. Learned senior CGC appearing on behalf of Union of India on the other hand has filed a detailed counter-affidavit stating therein that apart from the confessional statement of the co-accused person, the CDR location of the petitioner also suggests that he was regularly in touch with the co-accused person namely, Jai Prakash Singh. Additionally, the petitioner is



also accused in NDPS matter with respect to the Sasaram PS Case No. 842 of 2015 and this Court has called for report from the learned trial Court and report of the learned trial Court reveals that out of six chargesheeted witnesses, two witnesses have been examined and one witness is partially examined.

7. Considering the aforesaid facts and circumstances, the report of the learned trial Court as well the allegation in the FIR and the materials that have come during investigation, I am **not** inclined to enlarge the petitioner on bail in connection with NCB Case No. 2 of 2022, pending in the Court of learned Additional District Judge-X, Bhojpur, Ara.

8. Prayer is refused.

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

**(Rajesh Kumar Verma, J)**

Shahnawaz/-

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