

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11456 of 2025

Arising Out of PS. Case No.-8 Year-2023 Thana- N.C.B (GOVERNMENT OFFICIAL)
District- Patna

Subhash Yadav Son of Sh. Hirdyanand Yadav Resident of Village - Sahpur,
Ward No.- 2, P.S.- Sahpur, District - Bhojpur (Ara), Bihar.

... .. Petitioner/s

Versus

The Union of India through the Intelligence Officer, Narcotics Control
Bureau, Patna, Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. A.K. Thakur, Adv. Ms. Akanksha Malviya, Adv. Mr. Akash Keshav, Adv.
For the Opposite Party/s :		Mr. Arvind Kumar, CGC Mr. Anunay Sahi, Adv.

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 13-05-2025 Heard learned counsel for the petitioner and learned
counsel for the N.C.B.

2. The petitioner seeks bail in connection with Special
(N.D.P.S.) Case No. 261 of 2023 arising out of N.C.B.
Crime/Case No. NCB/PZU/Cr. No. 08 of 2023 instituted for the
offences under Sections 8(C), 21(C), 27(A) and 29 of the
Narcotic Drugs and Psychotropic Substance (N.D.P.S.) Act,
1985.

3. The prosecution case, in short, is that the NCB
Team, on receipt of secret information, reached at the place of
occurrence and apprehended two accused persons who disclosed



their names as Ashish Kumar Gupta and Aditya Kumar. On search, the police recovered 735 grams of *Heroin* kept in a trolley bag from their possession. On interrogation, they disclosed that the seized contraband was to be delivered to the father of the co-accused Raja, namely, Gopal Sah at Brahampur, Buxar. Thereafter, the police reached at Brahampur and apprehended the accused/Gopal Sah who disclosed that he had come there to take Heroin to deliver the same to co-accused Subhash Yadav (the petitioner). After sometime, the accused/petitioner Subhash Yadav, having a bag in his hand, came there and was also arrested by the N.C.B. On search, Rs. 6,18,600/- was recovered from the bag. On query, he disclosed that the he had come there to buy Heroin from co-accused Gopal Sah.

4. The petitioner has renewed his prayer for grant of bail which was earlier rejected by this Court on merit vide order dated 19.07.2024 passed in Cr. Misc. No. 20165 of 2024.

5. Learned counsel for the petitioner submits that the investigation in the present is complete and on 29.11.2023, cognizance was taken by the learned court below and on 20.03.2024, the charges were framed under Section 8(C), 21(C), 27A and 29 of the NDPS Act. It is further submitted that the



there are total six prosecution witnesses out of which the prosecution has examined only one witness implying that the trial is likely to take time for its conclusion. He further submits that the petitioner is in custody since 21.05.2023 and there is no likelihood of the trial of being concluded in the near future.

6. Pursuant to the earlier order of this Court dated 07.04.2025, the learned court below has sent status report dated 16.04.2025, stating therein that in the present matter, the charges has been framed against all the three accused persons on 12.03.2024. It is further stated that out of six named complaint witnesses, P.W.-1 has been examined and cross-examined on 09.12.2024, 17.03.2025 and 24.03.2025. The case is pending for examination of rest five witnesses including the two independent witnesses and the next date is fixed on 21.04.2025.

7. There is no new ground to consider the prayer for grant of bail to the petitioner.

8. Accordingly, the prayer for bail of the petitioner, above named, is rejected with a direction to the court below to expedite the trial and conclude the same expeditiously preferably within a period of six months from today.

9. If the trial is not concluded within the aforesaid period of six months, the petitioner will be at liberty to renew



his prayer for bail before the learned court below which will be decided on its own merit without being prejudiced by this order.

10. The Superintendent, Narcotic Control Bureau, Patna is also directed to ensure presence of the rest of the witnesses as and when required by the learned court below for expeditious conclusion of the trial.

11. Let a copy of this order be sent to the Superintendent, Narcotic Control Bureau, Patna for the needful.

(Rudra Prakash Mishra, J)

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