

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21431 of 2025

Arising Out of PS. Case No.-1 Year-2017 Thana- N.C.B (GOVERNMENT OFFICIAL)
District- Patna

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Dilip Kumar @ Dileep Kumar @ Dilip Sah @ Dilip Saw, S/o Hari Sharan
Chaudhary, R/o Village-Maujipur, P.S.- Nadi (Fatuha), Distt.- Patna.
... .. Petitioner

Versus

The Union of India through NCB, Patna.

... .. Opposite Party

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Appearance :

For the Petitioner	:	Mr. Ashok Kumar Mishra, Advocate
For the Opposite Party	:	Mr. Awadhesh Kumar Pandey, Sr. C.G.C.
		Mr. Arvind Kumar, CGC
		Mr. Lokesh, Advocate
		Mr. Anunay Sahi, Advocate

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 08-09-2025 Heard learned counsel for the petitioner and learned

Sr. C.G.C. appearing on behalf of the Union of India/NCB.

2. The accused/petitioner seeks bail in connection with Special (NDPS Act) Case No.10(A) of 2017 registered for the offences punishable under Sections 8 and 20(C) of the Narcotic Drugs and Psychotropic Substances Act (in short 'NDPS Act').

3. The accused/petitioner is named in the FIR and is in custody since 06.09.2024.

4. The petitioner was alleged to be found in possession of 3284.220 kg. of ganja.

5. Out of submission and perusal of record, it



transpires that the petitioner was granted bail in present case by one of the learned co-ordinate Bench of this Court through Cr. Misc. No.55092 of 2017 dated 03.01.2018 after remaining in custody for about eight months, as petitioner was remained in custody by that time since 22.04.2017.

6. Against aforesaid order of this High Court, an appeal was preferred before the Hon'ble Supreme Court by Union of India, which upon consideration was set aside through SLP (Crl.) No.1368 of 2019 dated 29th November, 2021, wherein the petitioner/respondent was directed to surrender within fifteen days from the date of order.

7. It is submitted by learned counsel appearing for Union of India that ignoring the aforesaid direction of the Hon'ble Supreme Court, petitioner never surrendered before the Special Court and he was arrested only on 13.02.2023 in similar nature of case i.e. Special (NDPS) Case No.16 of 2019 and, thereafter, only on 06.09.2024, he was remanded in present case. It is pointed out that the petitioner is an inter-state drug peddler and had ignored the direction of Hon'ble Supreme Court.



8. Considering the aforesaid conduct of petitioner, the prayer of bail of petitioner stands rejected.

9. At this stage, it is pointed out by learned counsel that despite of remaining in custody for about one year even the charge could not framed by learned trial court.

10. In view of aforesaid, learned trial court is directed to take all appropriate steps to conclude the trial in accordance with law, at its earliest.

(Chandra Shekhar Jha, J.)

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