

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21824 of 2025

Arising Out of PS. Case No.-6 Year-2021 Thana- N.C.B (GOVERNMENT OFFICIAL)
District- Aurangabad

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Giriwar Dhari Pandey @ Girwardhari Pandey, S/o Late Shambhu Pandey
Resident of Mangara, P.S- Godari, Distt.- Rohtas at Sasaram

... .. Petitioner/s

Versus

The Union of India through Narcotics Bureau Patna, Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dharmendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Bindhyachal Rai, Senior Panel Counsel

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

8 31-10-2025 Heard learned counsel for the petitioner and learned
counsel for the NCB.

2. In the present case, the petitioner seeks bail in connection with Narcotic Control Bureau (NCB) P.S. Case No. 06 of 2021, registered under Sections 8 (c), 20 (b) (ii) (c), 25 and 29 of NDPS Act.

3. As per the prosecution case, from the truck being driven by the petitioner, recovery of 1031.3 K.G. of *ganja* was made.

4. The learned counsel for the petitioner submits that this is the second attempt of the petitioner to seek bail from this Court. Earlier, the prayer for bail of the petitioner was rejected vide order dated 29.08.2022 passed in Cr. Misc. No.4348 of



2022. The learned counsel further submits that the petitioner is in custody since 08.03.2021 and till date trial has not been concluded. The learned counsel further submits that long incarceration itself is sufficient to release the petitioner on bail.

5. The learned counsel appearing on behalf of NCB submits that the prosecution evidence has been closed and considering the bar of Section 37 of NDPS Act, the petitioner is not entitled for bail. The learned counsel further submits that no fresh ground has been brought on record for reconsideration of prayer of bail and the period of custody could not be a ground.

6. Perused the record.

7. From perusal of record, it is apparent that except for long duration of incarceration, no new fact has come on record to satisfy this Court that the petitioner has not committed such offence or he would not indulge in such activities in future. Further, the prosecution has completed its evidence and now the ball is in the court of the petitioner.

8. Having regard to the facts and circumstances and submission made on behalf of the parties, I do not find any new ground to reconsider the prayer for bail of the petitioner. Hence, his prayer for grant of bail is rejected.

9. However, the learned trial court is directed to show



urgency and move for disposal of the case since prosecution has completed its evidence and it has been submitted on behalf of the petitioner that the defence is not going to adduce any evidence.

V.K.Pandey/-

(Arun Kumar Jha, J)

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