

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40601 of 2025

In
CRIMINAL MISCELLANEOUS No.28504 of 2024

Arising Out of PS. Case No.-12 Year-2021 Thana- N.C.B (GOVERNMENT OFFICIAL)
District- Patna

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Sunny Kumar S/o- Sudheshwar Prasad @ Sidheshwar Prasad, r/o village-
Postal Park, Buddha Nagar Gali, I.A Near Warm Place Market P.S.
Kankarbagh, Dist- Patna

... .. Petitioner/s

Versus

The Union of India through NCB Zonal Unit, Patna Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Sinha, Advocate.
For the U.O.I.	:	Mr. Bindhyachal Rai, St. panel counsel. Ms. Shail Kumari, CGC

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 11-07-2025 Heard learned counsel for the petitioner and learned
counsel for the Union of India.

2. The petitioner seeks bail in connection with
Special Case No. 53 of 2021 arising out of F.No.
NCB/PZU/V/12/2021 dated 4.6.2021 for the offences
punishable under Sections 8(c) read with Section 21(C)/25 and
29 of the NDPS Act.

3. This is second bail petition filed on behalf of the
petitioner. Similar bail petition bearing Cr. Misc. No. 28504 of
2024 was previously rejected by this Court vide order dated
17.05.2024. However, the learned Trial Court was directed to
expedite the trial and it was stipulated that in case the trial is not



concluded within nine months, the petitioner would be at liberty to renew his prayer for bail.

4. As per report received from learned court below, the trial is still not concluded and about 14 months have passed since the last order dated 17.5.2025. The petitioner is in custody since 4.6.2021 i.e. for more than four years.

5. Learned counsel for the petitioner submits that in the light of the observation of this Court vide order dated 17.05.2024 passed in Cr. Misc. 28504 of 2024 and seeing the custody of the petitioner for more than four years, the petitioner may be enlarged on regular bail.

6. However, Mr. Bindhayachal Rai, learned standing panel counsel along with Ms. Shail Kumari, learned CGC vehemently oppose the prayer of the petitioner for bail submitting that the alleged offence is serious in nature.

7. However, considering the observation and period of custody, **this application is allowed**, directing the petitioner, above-named, to be enlarged on bail on his furnishing bail bonds in the sum of Rs.10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Spl. Judge, NDPS-I, Patna, in connection with Spl. Case No. 53 of 2021 arising out of F. No. NCB/PZU/V/12/2021



on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not get hamper on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

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