

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46726 of 2025

Arising Out of PS. Case No.-27 Year-2021 Thana- N.C.B (GOVERNMENT OFFICIAL)
District- Patna

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Mukesh Kumar S/o Shatrudhan Ray @ Shatrohan Ray Resident Of Vill -
Bans Ke Tal Chauraha, khusrupur, Ps- Khusrupur, Distt.- Patna

... .. Petitioner/s

Versus

The Union of India represented through the Ministry of Home Affairs Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Pratibha Gupta
For the Opposite Party/s	:	Mr.Dr. Krishna Nandan Singh (A.S.G.)
For the NCB	:	Ms. Shail Kumari, CGC

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 10-10-2025 Heard learned counsel for the petitioner and Ms. Shail Kumari, learned Central Government counsel for the Union of India.

2. The petitioner seeks bail in connection with NCB Case No. NCB/PZU/V/27/2021 registered for the offence punishable under Sections 8(c) read with Sections 20(b)(ii)(C) , 25 and 29 of the NDPS Act.

3. Earlier the prayer for bail of the petitioner was rejected by this Court vide order dated 18.04.2024 in Cr. Misc. No. 11768 of 2024, which reads as under:

“Heard learned counsel for the petitioner and learned CGC for the State.

2. The petitioner seeks bail in connection with Special Case No. 182 of 2021 ---[F. No. NCB PZU/V/27/2021] registered for



the offence under Sections 8(c) read with 20(b) (ii) (C)/25 and 29 of the NDPS Act.

3. 300 kg Ganja was recovered from the petitioner who is in jail since 21.11.2021.

4. Considering the huge quantity of recovery from the petitioner, this Court is not inclined to grant bail to the petitioner.

5. Accordingly, this application is dismissed.

6. The Special Judge who is hearing this case is directed to expedite the trial of the petitioner and conclude the same at the earliest.

7. The Union of India is directed to produce the witnesses in the trial regularly.”

4. The petitioner is in custody since 22.11.2021.

5. Since earlier the prayer for bail of the petitioner was rejected because of huge recovery. The present application has been renewed by the petitioner on the ground of prolonged incarceration.

6. In the trial, out of six witnesses, four have been examined.

7. Learned CGC has opposed the prayer for bail and has submitted that the petitioner has been caught with huge quantity of ganja in a truck as co-driver and therefore he does not deserve bail. Learned counsel further submits that in the trial two more witnesses are to be examined.

8. I have considered the submission of the parties.

9. No doubt, it is a case of huge recovery and considering the same, the bail of the petitioner was rejected



earlier. The petitioner is in custody since 22.11.2021 i.e., for about four years.

10. The accused also has a right of speedy trial which is being denied to the petitioner. Similarly situated co-accused Adalat Rai has been granted bail by a co-ordinate Bench of this Court vide order dated 04.07.2025 passed in Cr. Misc. No. 30399 of 2025.

11. Considering the period of custody, the delay in trial and the fact that similarly situated accused have been granted bail, this application is allowed.

12. Let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 1,00,000/- (One lakh) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge (NDPS), Court No. 1, Patna/ concerned Court below in connection with NCB Case No. N.C.B./PZU/V/27/2021, subject to the condition that both the bailors should be the close relative of the petitioner.

13. As a condition of this order, the petitioner, after being released on bail is directed to co-operate in the trial either by appearing personally or through his lawyer in the trial Court on each and every date fixed by the trial Court. Noncompliance of the condition will result in cancellation of the bail bonds of



the petitioner.

14. The petitioner will also mark attendance in Khusrupur Police Station, District-Patna on every Sunday of the month. Any default in appearance at the Police Station would result in cancellation of bail bonds of the petitioner.

(Sandeep Kumar, J)

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