

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48542 of 2025**

Arising Out of PS. Case No.-41 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Gaya

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Lal Babu Sahni @ Lal Babu Sahni @ Lalbabu Sahni S/O Ramjeet Sahani R/O
Village- Raghunathpur, P.S- Bhagwanpur, Dist.- Vaishali, State- Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pintu Kumar Patel, Advocate
For the Opposite Party/s : Mr. Binod Kumar, APP

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

ORAL ORDER

3 24-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Excise
(NDPS) P.S. Case No. 41 of 2021 instituted for the offences
under Sections 20(b)(ii)(c) of the N.D.P.S. Act.

3. Earlier vide order dated 28.08.2023 passed in Cr.
Misc. No. 34092 of 2022 the prayer for grant of bail to the
petitioner was rejected considering the recovery of contraband
beyond the commercial quantity.

4. Prosecution case, in short, is that total 350 Kg of
ganja has been recovered from a truck.

5. Learned counsel for the petitioner mainly submitted
that the petitioner has been languishing in jail for the last four



and a half years, i.e. from 18.04.2021 and there is no progress in the trial. Learned counsel further submitted that charges against the petitioner were framed on 15.07.2025 but till date no witness has been examined and there is no likelihood of conclusion of trial in near future and therefore, petitioner may be released on bail. It has been submitted on behalf of the petitioner that the petitioner has no criminal antecedent.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. As per the report dated 08.08.2025 sent by the learned court below, it appears that charges against the petitioner were framed on 15.07.2025 but no any witness has been examined. It is further reported that trial is likely to be concluded in the next nine months.

8. Having considered the submissions made on behalf of the parties, this Court finds no fresh ground to reconsider the matter which has already been decided on merit by this Court as also taking into account the present stage of trial, this Court is not inclined to grant bail to the petitioner.

9. Accordingly, the prayer for grant of bail to the petitioner is, hereby, rejected.

10. Learned Trial Court is directed to expedite the



trial.

11. However, liberty is granted to the petitioner to renew the prayer for grant of bail before the Trial Court if the trial is not concluded within a period of three months from today.

12. The District Magistrate, Gaya and the Senior Superintendent of Police, Gaya are also directed to ensure the presence of witnesses before the concerned Court as and when required.

13. Let a copy of this order be communicated to the District Magistrate, Gaya and the Senior Superintendent of Police, Gaya.

(Rudra Prakash Mishra, J)

Alok Verma/-

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