

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.246 of 2025

Arising Out of PS. Case No.-10 Year-2022 Thana- N.C.B (GOVERNMENT OFFICIAL)
District- Patna

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Jharilal Ray S/O Baleshwar Ray @ Valeshwar Ray R/O Village- Saidabad
Mohanpur, P.S- Raghapur, Distt.- Vaishali.

... .. Petitioner/s

Versus

The Union of India through Director, Narcotics Control Bureau, Patna. Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner : Mr. Ganesh Prasad Singh, Advocate
For the NCB (UOI) : Mr. Arvind Kumar, C.G.C

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

5 02-05-2025 Heard Ld. counsel for the petitioner and Ld. Counsel
for the NCB, Union of India.

2. The petitioner seeks bail in connection with
N.D.P.S. Case No. 59 of 2022 (Special Case No. 131 of 2022),
arising out of N.C.B. Case No. 10 of 2022, registered for the
offences punishable under Sections 401 of the Indian Penal
Code and Section 8(c)r/w, 20(b)(ii)(c), 25 and 29 of the N.D.P.S.
Act.

3. As per allegation, 133 kg of *Ganja* has been
recovered from a pick-up van bearing Registration no. BR-
53G-1598.

4. Learned counsel for the petitioner submits that the
petitioner has earlier preferred Cr. Misc. No. 52267 of 2022



which was rejected on merit vide order dated 27.02.2023 passed by this Court. He further submits that the petitioner is in custody for about 3 years and one month since 25.03.2022. He further submits that out of six witnesses, three witnesses have already been examined. He further submits that it would be violative of Article 21 of the Constitution of India to keep the petitioner in custody without conclusion of trial.

5. However, Ld. Counsel for the N.C.B (Narcotics Control Bureau), Union of India vehemently opposes the prayer of the petitioner for bail submitting that the alleged offence is serious in nature, because Ganja has been recovered from the constructive possession of the petitioner.

6. Seeing the period of custody of the petitioner in jail and the stage of trial, **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 Special Judge, NDPS-II, Patna/concerned Court in connection with N.D.P.S. Case No. 59 of 2022 (Special Case No. 131 of 2022), arising out of N.C.B. Case No. 10 of 2022 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 hampered 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 the petitioner has any criminal antecedents other than the disclosed one, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(v) 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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