

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5148 of 2025

Arising Out of PS. Case No.-21 Year-2022 Thana- N.C.B (GOVERNMENT OFFICIAL)
District- Patna

Sunil Kumar Ray @ Sikandar Ray S/o- Umesh Ray Resident of Village-
Chakasahauli Police Station- Jandaha District-Vaishali

... .. Petitioner/s

Versus

1. The Union of India through the NCB, Patna Bihar
2. The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ranjit Kumar Yadav
		Mr. Saroj Kumar Yadav
For the Opposite Party/s	:	Mr. Ram Jujabh Singh
		Mr. Radhika Raman

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

14 12-02-2026 Heard learned counsel for the petitioner, learned
Additional Public Prosecutor for the State and learned counsel
for the Union of India.

2. The petitioner seeks bail in a case registered for the
offence punishable under Sections 8/20(b)(ii)(c)/25/29 of the
NDPS Act.

3. As per FIR, huge quantity of Ganja weighing
1459.2 kg was recovered from the truck and the petitioner was
apprehended at the spot.

4. Learned counsel for the petitioner submits that the
petitioner was only driver of the truck from where the narcotic
was seized and he had no knowledge of any incriminating
article being carried in the said truck. It has also been submitted



that there was total non-compliance of Section 50 of the NDPS Act and as a matter of fact, three co-accused persons have already been granted bail by co-ordinate Benches this Court. The petitioner is in custody since 09.10.2022 with no criminal antecedent.

5. Learned counsel for the Union of Indian, however, has opposed the application for bail on the ground that the case concerns recovery of commercial quantity of Ganja and the same was recovered from the conscious possession of this petitioner who was driving the said vehicle.

6. A report with regard to the stage of the case had been called for and it appears from a report dated 15.07.2025 that the case is pending at the stage of evidence and there are only six charge-sheeted witnesses to be examined on behalf of the prosecution upon whom summons had already been issued and the next date was kept at 29.07.2025.

7. Taking into consideration the facts and circumstances and also considering that fact that the petitioner is in custody for more three years and there are only six official witnesses to be examined on behalf of the prosecution and the case concerns recovery of commercial quantity of narcotic which was done in the presence of two independent witnesses,



this Court is not inclined to enlarge the petitioner on bail at this stage. Accordingly, his prayer for bail is rejected in connection Official (NCB, Patna) P.S. Case No. 01 of 2022.

8. However, learned court below is directed to conclude the trial preferably within a period of six months.

(Soni Shrivastava, J)

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