

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42012 of 2025

Arising Out of PS. Case No.-2 Year-2021 Thana- N.C.B (GOVERNMENT OFFICIAL)
District- Aurangabad

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Sanjay Kumar S/o Late Arjun Rai Resident of Village- Beyapur, PS- Maner,
Distt.- Patna

... .. Petitioner/s

Versus

The Union Of India & Anr.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. S.K.Mishra, Adv. Mr. Kumar Jay, Adv. Mr. Hazique Shams Ali, Adv.
For the Opposite Party/s :		Mr. Awadhesh Kumar Pandey, Sr. C.G.C. Mr. Ravinder Kumar Sharma, C.G.C. Mr. Lokesh, Adv.

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

10 13-02-2026 Heard learned Advocate appearing on behalf of the

petitioner and the learned Additional Public Prosecutor for the

State.

2. The application is for grant of bail to the petitioner
who is in custody in connection with NCB No. 2 of 2021
registered for the offence punishable under Sections 8(c), 20(b)
(ii)(c) of the N.D.P.S. Act.

3. This is the second attempt made on behalf of the
petitioner for grant of regular bail as earlier the prayer for bail of
the petitioner was turned down by this Court vide order dated
15.09.2023 in Criminal Miscellaneous No. 32681 of 2022,
taking into consideration the recovery of huge quantity of ganja



of more than three hundred kilograms and the embargo as provided under Section 37 of the N.D.P.S. Act.

4. Learned Advocate appearing on behalf of the petitioner vehemently contended that the petitioner has been incarcerated since 09.02.2021 and in the meanwhile, other co-accused persons have been allowed the privilege of regular bail by this Court in Criminal Miscellaneous No. 75464 of 2023 vide order dated 05.01.2024 and further in Criminal Miscellaneous No. 60500 of 2024 vide order dated 25.10.2024. However, till date, the trial has not been concluded and now the petitioner has remained in custody for almost a period of five years.

5. Mr. A.K. Pandey, learned Senior Central Government Counsel alongwith Mr. R.K.Sharma, learned Central Government Counsel submits that besides the fact the earlier the prayer for bail of the petitioner was negated by this Court. Now the case is fixed for final argument before the learned Special Judge, N.D.P.S., Aurangabad, as prosecution has completed his argument, while the defence has to conclude their argument.

6. A report has also been called for by the concerned Court and it has been apprised that the case is running for final argument and the same is likely to be concluded within a short



span of time.

7. Having considered the submissions advanced by learned Advocate for the respective parties and taking note of the fact that the case is running for final argument, this Court is not acceded to the prayer for bail of the petitioner. However, it is expected that the learned Special Court shall expedite the hearing and bring to its logical conclusion, as early as possible.

(Harish Kumar, J)

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