

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87338 of 2025

Arising Out of PS. Case No.-341 Year-2022 Thana- NADI P.S. District- Patna

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Birendra Rai @ Bijendra Rai S/O Ramji Rai R/O vill - Kripal Tola, P.S –
Nadi, District- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Pramod Kumar, Advocate
For the State : Mr. Pramod Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 25-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. This is the third attempt on behalf of the
petitioner for grant of regular bail in connection with Nadi P.S.
Case No.341 of 2022 registered for the offence under sections 8,
20, 22, 29 of the N.D.P.S. Act.

3. Earlier, the bail applications of the petitioner
was rejected vide order dated 13.10.2023 and 07.02.2025 passed
in Criminal Miscellaneous Nos.50767 of 2023 and 60815 of
2024. The aforesaid order dated 07.02.2025 reads as under:-

*“Heard the learned senior counsel for
the petitioner and learned APP for the State.*

*2. This is the second attempt of the
petitioner for grant of regular bail in
connection with Special Case No. 51 of 2023
arising out of Nadi P.S. Case No. 341 of
2022 registered for the offence under*



Sections 8, 20, 22, 29 of the NDPS Act.

3. As per the prosecution case, there is recovery of 363 kg of Ganja.

4. Vide order dated 4.9.2024, a report regarding status of trial was called from learned Additional Sessions Judge IV, Patna in connection with the present case. The Report has been on 23.09.2024 and the same shows that trial has started and two witnesses have already been examined.

5. Considering the recovery of huge quantity of Ganja and also considering the fact that trial is progressing, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this application is dismissed again.”

4. It appears from the records that out of nine witnesses, six witnesses have already been examined in the trial.

5. Considering the nature of allegation levelled against the petitioner and also the fact that the trial is proceeding, I am not inclined to review my earlier order. Accordingly, this bail application is dismissed. The trial court is directed to expedite the trial and conclude the same at the earliest.

6. The Senior Superintendent of Police, Patna is directed to ensure the presence of remaining witnesses in the trial.



7. Let a copy of this order be communicated to the Senior Superintendent of Police, Patna forthwith through FAX or e-mail for its compliance.

(Sandeep Kumar, J)

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