

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5703 of 2026

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

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Gorakh Kumar Bhagat S/O Late Muni Bhagat @ Muni Mali R/O Village-
Birampur, P.O- Birampur, P.S- Koibar, Distt.- Bhojpur(802314)

... .. Petitioner/s

Versus

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

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Baban Kumar, Advocate
For the Opposite Party/s	:	Dr. Indihar Kumari, APP
For the UoI	:	Dr. K. N. Singh, ASG
		Mr. Manoj Kumar Singh, CGC
		Mr. Ankit Kumar Singh, Advocate
		Mr. Radhika Raman, Sr. C.G.C.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 10-04-2026 Head learned counsel appearing for the petitioner,

learned APP appearing for the State and learned counsel

appearing for the Union of India.

2. Learned counsel for the petitioner submits that the

prayer for bail of the petitioner has earlier been rejected vide

order dated 13.03.2026 passed in Criminal Miscellaneous No.

69338 of 2023, order dated 27.09.2022 passed in Criminal

Miscellaneous No. 54952 of 2021, and order dated 25.04.2025

passed in Criminal Miscellaneous No. 387 of 2025.

3. As per the prosecution case, recovery of 300 kg of

ganja from a truck is the subject matter of the present case.



4. Learned counsel for the petitioner further submits that the petitioner is in custody since 08.02.2021, i.e., for more than 4 years and 10 months. It is contended that other co-accused persons have already been granted bail, whereas the petitioner has been unnecessarily kept in custody. It is further submitted that the petitioner is innocent and had no knowledge regarding the alleged loading of ganja on the truck. Moreover, the alleged recovery was not made from the conscious possession of the petitioner.

5. Learned counsel for the Union of India, on the other hand, submits that a huge quantity of ganja has been recovered from the truck and the petitioner was apprehended at the spot. It is further submitted that the recovery was made from the conscious possession of the petitioner and all legal requirements have been duly complied with; hence, his bail applications were rejected on merits.

6. Learned APP for the State opposes the prayer for bail and submits that the aforesaid aspects have already been considered in the earlier rejection orders, wherein the bail application of the petitioner was rejected on merits. It is further submitted that, in order to ascertain the progress of the trial, this Court had called for a report from the learned Trial Court, and



upon perusal of the said report, it appears that the case is presently fixed for final arguments.

7. In view of the aforesaid circumstances, the prayer for regular bail of the petitioner in connection with NCB Case No. 02/2021 corresponding to Special Case No. 05/2021, pending before the learned Special Judge, NDPS, Aurangabad, is hereby rejected.

(Dr. Anshuman, J)

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