

(2026:JHHC:14166)

IN THE HIGH COURT OF JHARKHAND AT RANCHI
B. A. No. 3915 of 2026

Rajesh Kumar Rai @ Rajesh Rai, aged about 42 years, s/o Sakhi
Chandra Mandal, r/o village - Harnakundi, PO - Dumka, PS -
Dumka (M), District- Dumka.Petitioner

Versus

The State of Jharkhand.Opp. Party

For the Petitioner : Mr. Nityanand Prasad, Advocate
For the State : Ms. Priya Shrestha, Spl. P.P.

HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

Order No:- 02, Dated:- 08th May, 2026

Heard the parties.

This is the 5th journey of the petitioner with the prayer for regular bail.

The petitioner has moved before this Court for grant of bail in connection with Dumka (M) P.S. Case No. 03 of 2022 and N.D.P.S. Case No. 03 of 2022, registered for the offences punishable under sections 414, 420, 120(B)/34 the Indian Penal Code along with Sections 8(C)/21(C)/22(B) of the N.D.P.S. and Sections 18(C)/ 21(C)/27(B)(ii) of the Drugs and Cosmetics Act.

Earlier, the prayer of the petitioner for regular bail was rejected four times and the fresh ground is that though vide order dated 28.08.2025, it was observed that in B.A. No. 3435 of 2025, the trial court shall dispose of the trial within six months, failing which the petitioner shall renew his prayer. Hence, this prayer has been made.

It is submitted by the learned counsel for the petitioner that so far ten witnesses have been examined during trial, except P.W. - 3, all the witnesses have supported the case of the prosecution. It is further submitted that the allegation against the petitioner is that the petitioner was involved in the purchase and sale of the Onerex Cough Syrup in commercial quantity of 4295 bottles containing codeine in commercial quantity. Hence, it is submitted that the petitioner be admitted to bail.

Learned Spl. P.P. on the other hand vehemently opposes the prayer of the petitioner and submits that keeping in view the serious nature of allegation against the petitioner and the overwhelming evidence that has already come through the witnesses examined by the prosecution, there is every chance of the petitioner absconding and tampering with the evidence, if released on bail, more so in absence of any material to suggest that there is any material in the record for a reasonable belief that the petitioner has not committed the offence and he will not indulge in any offence if released on bail. Hence, it is submitted that the petitioner ought not be admitted to bail.

Considering the serious nature of allegation against the petitioner and the fact that the regular bail of the petitioner has been rejected four times and the prayer is also rejected for the same reasons as mentioned in the earlier orders, there is every chance of the petitioner absconding and tampering with the evidence, if released on bail and further since narcotic drugs in commercial quantity is involved in this case, the writers of section 37 of the NDPS Act, is attracted in this case, therefore in absence of any material to suggest that there is any material in the record for a reasonable belief that the petitioner has not committed the offence and he will not indulge in any offence if released on bail, this Court is not inclined to admit the prayer for bail of the petitioner.

Accordingly, the prayer for bail of the petitioner is *rejected*.

(Anil Kumar Choudhary, J.)