

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48770 of 2014

Arising Out of PS.Case No. -19 Year- 2012 Thana -SIKTA District-
WESTCHAMPARAN(BETTIAH)

Subba Gaddi Son of Late Doma Gaddi Resident of Village - Sadakiya Tola,
P.S. - Balthar, District - West Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mohammed Abu Haidar

For the Opposite Party/s : Mr. R.B.Roy Raman(App)

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

6 06-07-2015 Heard learned counsel fro the petitioner and learned
APP for the State.

The petitioner seeks bail in Sikta P.S. Case No. 19 of
2012 registered under diverse penal provisions of the NDPS Act.
The Station House Officer lodged the case alleging therein that on
seeing the police party the petitioner tried to abandon the motor
cycle and flee away. On chase, he was apprehended and 15.5 kg
of Charas (narcotic drugs) is/are said to have been recovered from
the dickey of the motorcycle which the petitioner was driving.

The contention of the petitioner is that the
contraband articles have not been recovered from the conscious
possession of the petitioner who is incarcerating since 20.04.2014.

Learned APP points out that on conclusion of

investigation, charge sheet was submitted and trial has already commenced in which three witnesses have been examined..

Considering the submissions of the parties, I am not inclined to allow the prayer of the petitioner. While declining the prayer, this Court disposes of this application by the following order:-

Let the trial court in seisin of Tr. No. 49 of 2012 endeavour and conclude the examination of all the prosecution witnesses within seven months from the date of receipt/communication of this order failing which the petitioner shall be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the trial court in Tr. No. 49 of 2012 (Sikta P.S. Case No. 19 of 2012) on condition that one of the bailors shall be own/close family member of the petitioner. The petitioner shall appear in person on each date fixed at the trial. In case of default in doing so on two consecutive dates, the trial court shall cancel his bail bonds.

(Kishore Kumar Mandal, J)

HR/-

U		T	
---	--	---	--