

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33991 of 2014

Arising Out of PS.Case No. -45 Year- 2008 Thana -CHIRAIYA District-
EASTCHAMPARAN(MOTIHARI)

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1. Shivchandra Kumar Son of Ram Brich Das Resident of Village - Badra,
P.S. - Pear, District - Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Madhusudan Kumar

For the Opposite Party/s : Mr. Abhay Kumar (App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

4 16-02-2015 Heard the learned counsel for the petitioner as well as

the learned A.P.P.

The petitioner seeks bail in a case for the offences
punishable under sections 30 (B) (i), 22 and 23 of N.D.P.S. Act.

The learned counsel for the petitioner wants to
reconsider prayer for bail which has already been rejected by this
Court thrice in Cr. Misc. Nos. 48552/2008, 10035/2010 and
23010/2012 by orders dated 05.03.2009, 30.06.2010 and
03.07.2012 respectively considering the recovery of 305 kgs of
Ganja from a Jeep which was being driven by the petitioner on the
ground that up till now the case has not been concluded and the
petitioner is suffering in custody since 24.05.2008. The witnesses

examined in the Court have not supported the prosecution case to which the learned A.P.P. opposes by submitting that from perusal of the impugned order it reveals that five witnesses have supported the prosecution case.

Report has been received and from perusal of the report it reveals that eight witnesses have already been examined out of 19 charge-sheeted witnesses.

Considering the submissions urged at the bar, going through the records and noticing that the trial is under progress and prayer for bail of the petitioner has been rejected thrice and finding no good ground for consideration, the prayer for bail of the petitioner is again hereby rejected in connection with N.D.P.S. Case No. 52 of 2008, arising out of Chiraiya P.S. Case No. 45 of 2008/ G.R. No. 333 of 2008 pending in the Court of Ist Additional Sessions Judge, Motihari (East Champaran).

However, the Trial Court is directed to expedite the trial and conclude the same as early as possible preferably within a period of six months with taking all possible steps.

(Jitendra Mohan Sharma, J)

Abhay/-

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