

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No 18949 of 2015

Arising Out of PS.Case No. -189 Year- 2010 Thana -BRAHMPURA District- MUZAFFARPUR

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Sunil Yadav Son of late Dhamayan Yadav Resident of Village - Khudloga
Mirjapur, P.S. Janta Bazar, District - Saran at Chapra (Bihar).

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Manoj Kumar 1(App)

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CORAM: HON'BLE MR JUSTICE NAVANITI PRASAD SINGH

ORAL ORDER

3 17-09-2015

Earlier the bail application of the petitioner was rejected by this Court by order dated 17.03.2011 passed in Cr Misc No 5506 of 2011 considering that it was a case of recovery of 1850 Kgs of Ganja in 185 packets recovered from the truck which the petitioner was driving. The petitioner has been in custody since 25.11.2010.

A report was called for from ADJ IV, Muzaffarpur before whom the trial is pending. It is stated that charges have already been framed on 10.01.2012 and out of 16 witnesses, five witnesses have been examined.

Considering the nature of case and the nature of allegation, I am not inclined to release the petitioner on bail.

However, let the District & Sessions Judge,

Muzaffarpur and the Trial Court inform the District Magistrate – cum- Collector and the Superintendent of Police, Muzaffarpur about the delay in the trial because of non-examination of witnesses. All steps must be taken to conclude the trial within six months and the said officers be informed that if the trial is not concluded within six months and the petitioner is to be released, it would be their sole responsibility and because of inability of the prosecution to conduct the proceedings that an accused of such a serious offence would be required to be released.

With this observation, this application stands disposed of.

(Navaniti Prasad Singh, J)

M.E.H./-

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