

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 22544 of 2015

Arising Out of PS.Case No. -10 Year- 2014 Thana -FATUHA District- PATNA

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Amit Kumar, Son of Rajdeo Prasad Rai, Resident of Village- Naya Tola Madhopur,
P.S. Bakhtiyarpur, District Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 16-03-2016

Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in Special Case No. 6 of
2014 arising out of Fatuha P.S. Case No. 10 of 2014 dated
11.10.2013 instituted under Sections 20/22 of The Narcotic
Drugs and Psychotropic Substances Act, 1985.

This is the second attempt of the petitioner as
earlier such prayer was rejected by order dated 21.10.2014 passed
in Cr. Misc. No. 24322 of 2014.

Learned counsel for the petitioner submits that till
date the trial has not been concluded and the petitioner is
languishing in jail without even one witness having been
examined and further that the petitioner's father is ill and he may
be given bail for some period.

Earlier, the Court had called for a report from the
trial Court with regard to the reason for delay and the likely time
by which the trial could be concluded. Pursuant to the same, a

report has been submitted by the learned Additional District and Sessions Judge, VIIth, Patna under letter No. 473 dated 22.12.2015 in which it has been stated that the Court had joined only on that very day and 14 witnesses had been cited in the chargesheet and if the parties co-operate, trial will be concluded within six months.

Having regard to the aforesaid position, the Court, especially in view of the fact that 92 Kgs. of '*Ganja*' has been recovered from the vehicle owned by the petitioner in which he was also sitting and considering the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to enlarge the petitioner on bail. Accordingly, the application stands dismissed.

However, the Court below is directed to conclude the trial within six months. The Senior Superintendent of Police, Patna is also directed to ensure that the chargesheet witnesses are produced before the Court below on the dates fixed.

Registry shall communicate the order to the Court below as well as the Senior Superintendent of Police, Patna through Fax also latest by tomorrow, for its strict compliance.

(Ahsanuddin Amanullah, J.)

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