

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 12877 of 2014

Arising Out of PS.Case No. -136 Year- 2012 Thana -CIVIL LINE District- GAYA

=====

Babu Lal Choudhary @ Babu Choudhary S/O Sanichar Chaudhary Resident
Of Village Afjalpur, Police Station Sherghati, District Gaya

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sajid Salim Khan, Advocate

For the Opposite Party/s : Mr. Md.Aslam Ansari, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE GOPAL PRASAD
ORAL ORDER

12 16-03-2016

Perused the FSL report and it has been reported that

the articles seized is black sticky substances contained in the plastic container were found to be 'Black Tar Opium' which is a purified form of 'opium' (Afeem) and it is extremely dangerous.

In view of the aforesaid report, I am not inclined to grant bail to the petitioner.

Perused the explanation of S.P., Gaya sent through Deputy Inspector General of Police Magadh Range regarding compliance of order and direction of this court dated 22.7.2015, 30.09.2015 and 4.11.2015. The explanation given is not at all satisfactory. No valid reason assigned for delay in sending the sample and seized material of Civil Line P.S. Case No. 136 of 2012 to FSL. It is horrible that the article seized in 2012 was sent to FSL in 2015 on the query of this court itself shows the

derelection of duty of the officer concerned and is highly deprecated even no report what action has been taken against erring officer.

Moreover, till date only two witnesses produced for their evidences and there is delay in disposal.

The trial court is directed to expedite the trial. The Superintendent of Police, Gaya is directed to ensure the attendance of the witness on the date fixed in the case and the trial be proceeded on day-to-day basis for early disposal.

With these observations, the petition is dismissed.

Let this order be sent to the Superintendent of Police, Gaya, as well as to the court concerned.

(Gopal Prasad, J)

siddharth/-

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