

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55523 of 2015

Arising Out of PS.Case No. -76 Year- 2014 Thana -BRAHMPUR District- BUXAR

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1. Sanjay Kamkar @ Sanjay Kumar @ Sanjay Sah S/o Shri Bishwanath Prasad Resident of Village- Nimej, P.s Brahmpur, Distt- Buxar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Digvijay Kumar Ojha

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

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 03-08-2016

Heard both sides.

The petitioner seeks bail in Brahmpur P.S. case No. 76/2014 (NDPS case No. 4/2014) under Section 20(b)(ii)(C)/ 27A/29 of the N.D.P.S. Act and under Section 47(a) of the Excise Act.

The prayer of petitioner for bail was earlier rejected by this court vide order dated 10.09.2014 passed in Cr. Misc. No. 33265 of 2014 with an observation that if the trial is not concluded within one year the petitioner may renew his prayer for bail.

It is submitted that petitioner has already remained in jail for more than two years but the trial has not yet been concluded.

It appears from perusal of report of learned

Additional Sessions Judge-I-cum- Special Judge, Buxar that all the witnesses had been examined. The statement of the accused had also been recorded and the case was fixed for argument but the accused filed a petition under Section 311 of the Cr. P. C. for adducing further defence evidence. It appears that the case is now pending only for defence evidence.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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