

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26969 of 2016

Arising Out of PS.Case No. -414 Year- 2014 Thana -SHIKARPUR District-
WESTCHAMPARAN(BETTIAH)

1. Radha Sah, son of Late Ramsaran Sah, resident of Village- Balwa Bahuari, P.S.- Gaunaha, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.27308 of 2016

Arising Out of PS.Case No. -414 Year- 2014 Thana -SHIKARPUR District-
WESTCHAMPARAN(BETTIAH)

1. Aklesh Thakur @ Aklesh Kumar Thakur @ Aklesh Sah, S/O Mohan Thakur, resident of Village- Belwa Bahuari, P.S.- Gaunaha, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.26969 of 2016)

For the Petitioner/s : Mr. Aditya Nath Jha

For the Opposite Party/s : Mr. Anand Mohan Prasad Mehta

(In Cr.Misc. No.27308 of 2016)

For the Petitioner/s : Mr. Aditya Nath Jha

For the Opposite Party/s : Mr. Anand Mohan Prasad Mehta

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 23-11-2016 Heard both sides.

The petitioners seek bail in Shikarpur P.S. case No.
414 of 2014 under Section 20, 22, 23, 24, 27A and 29 of the
N.D.P.S. Act.



The learned counsel for the petitioners submits that prayer of petitioners for bail was earlier rejected by this court vide order passed in Cr. Misc. No. 9908 of 2015 on 08.05.2015 with a direction to the trial court to conclude the trial within one year from the date of receipt or production of a copy of the order. It is submitted that from the possession of petitioner, Aklesh Thakur @ Aklesh, Sah one kg. Charas was recovered and from the possession of petitioner, Radha Sah, 3 kg. Ganja and 500 gram Charas were recovered. The trial has not yet been concluded and only two witnesses have been examined.

Considering the fact that commercial quantity of Charas has been recovered from the possession of petitioners, I am not inclined to enlarge the petitioners on bail. Accordingly, the same is rejected.

The trial court is directed to hold the trial on day to day basis and conclude the same within six months from the date of receipt of this order.

The Superintendent of Police, Bettiah is directed to ensure the attendance of prosecution witnesses of Shikarpur P.S. case No. 414 of 2014, corresponding to Trial No. 05 of 2015, in the court of learned 3rd Additional Sessions Judge, West Champaran at Bettiah so that the trial must be concluded within

six months.

Let a copy of this order be sent to learned 3rd
Additional Sessions Judge, West Champaran at Bettiah as well as
Superintendent of Police, Bettiah for information and needful.

(Prabhat Kumar Jha, J)

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