

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.42738 of 2016

Arising Out of PS.Case No. -54 Year- 2014 Thana -BELAGANJ District- GAYA

Santosh Kumar, son of Late Satish Nandan Sahay, resident of East Lohanipur, Kashinath Lane, House of Ambika Prasad, P.S.- Kadamkuan, District- Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Sanjiv Sharan, Advocate

For the Opposite Party/s : Mrs. Sangeeta Sharma, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 19-10-2016

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

The petitioner seeks bail in connection with Belaganj P.S. Case No. 54 of 2014 registered under Sections 8, 20 and 22 of the Narcotic Drugs and Psychotropic Substances Act.

The prayer for bail of the petitioner was earlier rejected by this Court on 12.12.2014.

It is contended that after framing of charge, till date, only three witnesses out of the eight have been examined during trial and there is no likelihood of the trial being concluded in near future.

On the other hand, learned counsel for the State

submits that all efforts would be taken by the State to produce the remaining witnesses within nine months from today. She has submitted that the offence alleged against the petitioner is quite serious. He was caught by the police while carrying 45 kg ganja in 50 packets in three cartons in an ambulance and the search and seizure was made in presence of a gazetted officer.

Regard being had to the gravity of the offence and the statutory provision prescribed under Section 37 of the Narcotic Drugs and Psychotropic Substances Act, I am not inclined to grant bail to the petitioner. Accordingly, the prayer for bail is rejected.

The trial court is directed to take all possible steps to conclude the trial within nine months from today. The Superintendent of Police, Gaya is directed to personally look into the matter and take necessary steps in order to produce the remaining witnesses before the trial court within the period stipulated hereinabove.

Let a copy of the order be communicated to the Superintendent of Police, Gaya.

(Ashwani Kumar Singh, J.)

Sanjeet/-

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