

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18173 of 2016

Arising Out of PS.Case No. -156 Year- 2012 Thana -CHOUTARWA District-
WESTCHAMPARAN(BETTIAH)

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Junaid Alam, Son of Nazir Mian, resident of Village- Murli Tola Bhelahi,
P.S. Bhelahi, District- East Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Syed Mojibur Rahman, Advocate

For the Opposite Party : Mr. Ram Sumiran Roy(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 28-09-2016

Heard both sides.

The petitioner seeks bail in Sessions Trial no. 56
of 2012 arising out of Chautarwa P.S. case no. 156 of 2012
registered under Sections 20, 22 and 23 of Narcotic Drugs and
Psychotropic Substances Act.

Learned counsel for the petitioner submitted that
earlier the bail of the petitioner was rejected vide order dated
21.09.2015 passed in Cr. Misc. no. 21871 of 2015 and the trial
court was directed to expedite the trial and conclude the same
within six months from the date of receipt of this order. It is
submitted that more than a year has elapsed but the trial has not
yet been concluded. Petitioner is in jail for about four years. A

report was called for from the learned Sessions Judge, 5th who is in seisin of the case and he reported that out of 13 witnesses, 07 witnesses have already been examined.

Since the commercial quantity of charas was recovered from the conscious possession of the petitioner, his prayer for bail stands rejected. The trial court is directed to hold the trial on day to day basis and conclude the same within five months from the date of receipt of this order. The Superintendent of Police, West Champaran at Bettiah is directed to ensure the attendance of the non-examined prosecution witnesses of Chautarwa P.S. case no. 156 of 2012 one by one in the court of 5th Additional District and Sessions Judge, West Champaran at Bettiah so that the trial must be concluded within five months. If the trial is not concluded within five months, the petitioner may renew his prayer for bail.

(Prabhat Kumar Jha, J.)

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