

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21768 of 2016

Arising Out of PS.Case No. -153 Year- 2014 Thana -RAXAUL District- EAST CHAMPARAN
(MOTIHARI)

Suresh Mahto, S/o Late Sewak Mahto, R/o Village - Pokhariya, P.S.
Pokharia, District - Parsa (Nepal)

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance:

For the Petitioner/s : Mr. Shiva Shankar Sharma, Advocate.

For the Opposite Party/s : Mr. Sanjay Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 26-10-2016

Heard Sri Shiva Shankar Sharma, learned counsel for
the petitioner, and learned A.P.P.

The petitioner seeks bail in NDPS P.S. Case No. 42
of 2014, arising out of Raxaul P.S. Case No. 153/2014 registered
under Sections 20, 22, 23 and 24 of the N.D.P.S. Act.

The prayer for bail of the petitioner was earlier
rejected vide order dated 23.04.2015 passed by this Court in Cr.
Misc. No. 9292/2015. Commercial quantity of Ganja was
recovered from the possession of the petitioner. A report was
called for from the trial court. The trial court has reported that out
of seven witnesses, five witnesses have already been examined
and only two witnesses are yet to be examined.

Considering the nature of allegation made against the
petitioner, I am not inclined to enlarge the petitioner on bail in

N.D.P.S. Case No. 42/2014, arising out of Raxaul P.S. Case No. 153 of 2014. Accordingly, the same is rejected.

The trial court is directed to hold trial on day-to-day basis and conclude the same within six months, as sought for by the trial court itself, from the date of receipt / production of a copy of this order.

The Superintendent of Police, East Champaran, Motihari is directed to ensure attendance of the remaining witnesses so that the trial must be concluded within the time.

(Prabhat Kumar Jha, J)

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