

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.25790 of 2015

Arising Out of PS.Case No. -60 Year- 2013 Thana -GOVERNMENT OFFICIAL COMP. District-
PATNA

Ashok Kumar Gupta @ Ashok Kumar, Son of Late Yashwant Gupta, Resident of
House no. V/17, Budh Vihar , Phase No. 1 , P.O. + P.S. Vijay Vihar , New Delhi.

.... Petitioner/s

Versus

1. The State of Bihar

2. Union of India through Intelligence Officer, Narcotics Control Bureau, Patna.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Avinash Kumar Sinha, Advocate.

For the State : Mr. C. Jawahar, A.P.P.

For the O.P.No. 2 : Mr. Anshay Bahadur Mathur, CGC.

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 05-07-2016

Heard learned counsel for the petitioner, learned A.P.P. for
the State and learned counsel for the Opposite Party No. 2.

The petitioner seeks bail in Special Case No. 60 of 2013
instituted under Sections 8 and 20 of the Narcotic Drugs and Psychotropic
Substance Act.

This is the second attempt of the petitioner for bail as earlier
such prayer was rejected by order dated 25.06.2014 passed in Cr. Misc. No.
7807 of 2014.

Earlier a report was called for from the trial court and the
same has been received explaining the reasons why the delay has been
caused.

Learned counsel for the O.P. No. 2 submits that as of now,

all the prosecution witnesses, except two seizure list witnesses, have been examined. He assures that remaining prosecution witnesses would also be examined soon.

Having regard to the aforesaid facts and circumstances of the case and the reasons recorded in the order by which the prayer for bail was rejected on the last occasion, this Court is not inclined to grant bail to the petitioner.

Accordingly, the application stands dismissed.

However, the O.P. No. 2 shall ensure that the remaining two prosecution witnesses are produced before the trial court for their examination within two months from today positively.

As the order being passed in presence of learned counsel for the O.P. No. 2, he shall communicate the same to the concerned for its strict compliance.

(Ahsanuddin Amanullah, J)

Sujit/-

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