

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39882 of 2017

Arising Out of PS.Case No. -48 Year- 2011 Thana -GOVERNMENT OFFICIAL COMP. District-
PATNA

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Vijay Kumar Chaurasiya @ Ram Pukar Chaurasiya Son of Late Ramashish
Chaurasiya @ Nagendra Prasad Chaurasiya, Resident of Vishunpurwa near
Sato Mai ke Mandir, P.S.-Raxaul, District-East Champaran

.... Petitioner/s

Versus

Union of India, Through Intelligence officer, Nartocics Central Bureau,
Patna

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anurag Anand

For the Opposite Party/s : Mr. S.D. Sanjay(Asg)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 15-11-2017 Heard learned counsel for the petitioner and learned
counsel for the Union of India.

Petitioner is languishing in judicial custody since
14.12.2011 in connection with Special Case No. 48 of 2011
arising out of F.I.R. No. NCB/PZU/V/01/2011/857 for
offences punishable under Sections 8, 20, 29 of the N.D.P.S.
Act.

The prosecution case, as lodged by the Narcotic
Control Bureau, is that the petitioner was apprehended at
Karbigahiya near railway station Patna along with a bag
containing 12.150 kg of Charas. Accordingly, a seizure list
was prepared.



It has been submitted by the learned counsel for the petitioner that he is innocent and has been falsely implicated in the aforesaid case. Even otherwise, the petitioner is in custody since nearly six years and that trial has not yet been concluded.

However, learned counsel for the Union of India submits that trial is at a progressive stage and is likely to be concluded within six months. In this connection, a report was called for from the court of the learned Additional District and Sessions Judge-X cum-A. O. Special Court No. II, Vigilance, Patna and a report has been submitted by letter no. 317 dated 08.11.2017 stating therein that the trial is likely to be concluded within six months.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, I am not inclined to grant privilege of bail to the petitioner at this stage in connection with Special Case No. 48 of 2011 arising out of F.I.R. No. NCB/PZU/V/01/2011/857, pending in the court of learned Additional District & Sessions Judge-X-Cum A.O. Special Court No. II, Vigilance Patna.

The application is, accordingly, rejected.



The petitioner is at liberty to renew his prayer for
bail after six months if trial is not concluded by that time.

(Nilu Agrawal, J)

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