

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 42088 of 2017

Arising Out of PS. Case No.-24 Year-2014 Thana- Economic Offences, Bihar District- Patna

Hira Sah @ Hira Saw S/o- Late Dharikshan Sah, Resident of Village- Kurwa,
P.S.- Barharia, District- Siwan.

... .. Petitioner

Versus

1. The State of Bihar.
2. Krishn Kumar Gupta, Police Inspector, Economic Offence Unit, Bihar, Patna.

... .. Opposite Parties

Appearance :

For the Petitioner/s	:	Mr. Ramakant Sharma, Sr.Adv. Mr. Sushil Kumar, Adv.
For the Opposite Party/s	:	Mr. Madan Kumar, A.P.P. Mr. Vishwanath Prasad Singh, Sr. Adv. Mrs. Soni Srivastava, Adv.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3. 15-11-2017 Heard Sri Ramakant Sharma, learned senior counsel assisted by Sri Sushil Kumar, learned counsel for the petitioner, Sri Madan Kumar, learned Addl. Public Prosecutor as well as Sri Vishwanath Prasad Singh, learned senior counsel assisted by Smt. Soni Srivastava, learned counsel for Economic Offence Unit, Bihar, Patna.

The petitioner, by filing the present petition, has renewed his prayer for bail. Earlier, by order dated 13-10-2015 passed in Cr. Misc. No. 23125 of 2015, the prayer for bail of petitioner was rejected, considering the recovery of huge quantity of *Ganja*. The petitioner is in Custody in Special Case No. 38 of 2014 (arising out of Economic Offences P.S. Case No.



24 of 2014) registered for offence under Sections 8/20(b)(iii)/29 of the Narcotic Drugs & Psychotropic Substances Act, 1985.

Sri Sharma, learned senior counsel for the petitioner has argued that petitioner has sufficiently remained in custody since 27-04-2014 without speedy trial and as such, petitioner deserves to be extended the privilege of bail, whereas, Sri Vishwanath Prasad Singh, learned senior counsel appearing for Economic Offences Unit, Bihar submits that in the case, after framing of charges, one witness, after examination, was discharged and another witness was partly examined and there are further ten witnesses, who are to be examined, to prove the prosecution case.

In this case, by order dated 20-09-2017, a report was called for from the court below, which has been received and kept at flag 'A'. The report dated 18-10-2017 sent under the signature of Addl. District & Sessions Judge-III, Patna makes it clear that submission of Sri Singh, learned senior counsel for Economic Offences Unit is correct. Meaning thereby that trial is going on.

Considering the fact that on merit, the prayer for bail of the petitioner was already rejected and trial is going on, there is no reason to review my earlier order.



The prayer for bail again stands rejected.

However, while dismissing the case, considering the fact that petitioner is in custody since 2014, it is desirable to observe that learned court below as well as prosecution may take appropriate step so that the case may come to its logical end without unnecessary delay.

(Rakesh Kumar, J.)

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