

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39765 of 2017

Arising Out of PS.Case No. -347 Year- 2016 Thana -BARACHATTI District- GAYA

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Binod Pandey, s/o Shambhu Pandey @ Sambhu Nath Pandey @ Shankar Pandey, resident of village-Champura, Police Station-Baikunthpur, District-Gopalganj

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh

For the Opposite Party/s : Mr. Sri Uday Pratap Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 15-11-2017 Earlier, prayer of bail of the petitioner was rejected vide order dated 18.03.2017 by this Court passed in Criminal Miscellaneous No. 7966 of 2017.

The allegation against the petitioner is of recovery of 66 kgs. of ganja from a secret chamber made in the back side of the Bolero car on which three persons were found sitting.

Submission of the learned counsel for the petitioner is that co-accused namely Sanjay Sah has been granted bail vide order dated 07.07.2017 by a coordinate Bench of this Court passed in Criminal Miscellaneous No. 29721 of 2017 and the petitioner is in custody since 06.09.2016 and no progress has been made in the trial as not a single witness has been examined.

Heard learned APP also.

Having heard both sides and in view of fact that as



earlier the prayer of bail of the petitioner was rejected on merit. As such, I am not inclined to grant bail to the petitioner. Accordingly, this application is dismissed.

However, considering the fact that he is in custody since 06.09.2016. The learned court below is directed to expedite the trial and conclude the same within a period of six months. At the same time, the Superintendent of Police, Gopalganj is directed to ensure the presence of the witnesses in court so that the trial be concluded within specified period and also directed to submit monthly progress in this case before this Court.

With this observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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