

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25494 of 2017

Arising Out of PS.Case No. -57 Year- 2015 Thana -KOILWAR District- BHOJPUR

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Rakesh Chaudhary @ Chirai Chaudhary @ Sanjay Kumhar, Son of
Bhikhari Chaudhary @ Bhikhari Kurmi, Resident of Village- Chhota
Bishunpur, Police Station- Shahpur, District- Bhojpur at Ara.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arbind Kumar Singh

For the Opposite Party/s : Sri Chaubey Jawahar

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

4 26-07-2017 Heard Sri Arbind Kumar Singh, learned counsel for the

petitioner and Sri Chaubey Jawahar, learned Additional Public

Prosecutor.

This is the second attempt for grant of bail. Earlier, by
order dated 16.12.2016 passed in Cr. Misc. No. 44992 of 2016 the
prayer for bail of the petitioner was rejected by this Court
considering the fact that from the Bolero, which was being driven
by the petitioner about 110 kilograms of Ganja was recovered.

Learned counsel for the petitioner submits that one of
the co- accused has already been extended the privilege of bail on
26.04.2017 vide Cr. Misc. No. 14557 of 2017, however in this
case by order dated 28.06.2017 a report was called for from the
court below , which has been received and kept at flag 'A'. The



report suggests that till date six witnesses have already been examined and only the Investigating Officer is required to be examined. Considering the fact that trial is at the fag end, there is no question for considering the prayer for bail. Similarly, it hardly matters whether another co-accused has been extended the privilege of bail or not. Considering the fact that trial is at the fag end and the nature of accusation, which suggests that about 110 kilograms of Ganja was recovered from the Bolero, which was being driven by the petitioner, the prayer for bail again stands rejected.

(Rakesh Kumar, J)

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