

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45253 of 2017

Arising Out of PS.Case No. -39 Year- 2004 Thana -BAKHTIYARPUR District- PATNA

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Lakhan Dev Rai, son of late Mantu Rai, resident of Village-Teka Bigha, P.S.
Bakhtiyarpur, District-Patna,

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Surendra Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 10-10-2017 Heard learned counsel for the petitioner.

This is an application for bail in connection with Special
Case No. 18(B) of 2004, arising out of Bakhtiyarpur P.S.Case No.
39 of 2004 registered for the offences punishable under Sections
20 and 22 of N.D.P.S. Act.

Allegation against the petitioner is of recovery of 15 kg.
of ganja from his house.

Submission of learned counsel for the petitioner is that he
was not present at the time of seizure and there is no signature on
the seizure list and further nothing has been recovered from his
possession as the village was raided and, as such, he has been
made accused in this case and he is in custody for more than one
year and till date one witness has been examined.



Heard learned APP also, who has opposed the prayer for bail.

Having heard both sides and in view of recovery, I am not inclined to grant bail to the petitioner.

However, as the petitioner is in custody for more than a year, learned trial court is directed to expedite the trial and try to conclude it within a period of six months. At the same time, SSP, Patna is directed to ensure the presence of the witnesses in court so that trial be concluded within the period specified. If trial is not concluded within the specified period, petitioner may renew his prayer for bail.

With the above observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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