

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48235 of 2016

Arising Out of PS.Case No. -227 Year- 2015 Thana -BARACHATTI District- GAYA

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Krishna Ram Son of Late Mana Ram resident of village - Pali, P.S.
Lohawat, District - Jodhpur (Rajasthan)

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhola Kumar, Advocate

For the Opposite Party/s : Mr. Sri Anant Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 08-03-2017

Heard.

The petitioner being Military personnel is accused in
a case registered under Sections 18, 20 and 22 of the Narcotic
Drugs and Psychotropic Substances Act.

The recovery is of 3.40 kg of opium from a bag the
petitioner was carrying on his back.

Vide order dated 16.11.2016, the petitioner was
granted provisional bail for three months for treatment of his wife
who is suffering from ovarian cancer.

Re. Interlocutory Application No.508/2017.

Interlocutory Application No.508/2017 has been
preferred for confirmation of provisional bail.

The order of the learned ADJ-VII, Barh, dated



27.02.2017 reflects that on being surrender the petitioner was sent to custody, though, the petitioner has surrendered after the period of three months of the provisional bail.

In view of the fact that the petitioner has already surrendered, the prayer for confirmation of provisional bail has become infructuous.

Accordingly, the interlocutory application is disposed of .

Re. Criminal Miscellaneous No.48235/2016.

Perused the report of the learned 7th Additional District and Sessions Judge, Gaya, dated 26.11.2016, which reflects that out of eight witnesses three have been examined and cross-examination of the 2 and 3 has been deferred at the instance of the defense.

Considering the nature of accusation and the report of the learned 7th Additional District and Sessions Judge, this Court is not inclined to consider the prayer for bail of the petitioner.

Accordingly, the prayer for bail of the petitioner in connection with Barachatti P.S. Case No.227/2015, pending before the learned 7th Additional District and Sessions Judge, Gaya, is rejected.

It is expected from the learned Court below to



conclude the trial expeditiously preferably within a period of nine months.

(Dinesh Kumar Singh, J)

Ashwini/-

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