

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31730 of 2016

Arising Out of PS.Case No. -430 Year- 2015 Thana -BARACHATTI District- GAYA

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1. Dharmendra Kumar Singh @ Dharmendra Singh Son of Jagarnath Singh,
resident of Village- Sarshi, P.S.- Rishiup, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar

For the Opposite Party/s : Mr. Sri Sanjay Kumar Sharma

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

5 02-08-2017 Heard learned counsels for the petitioner and

the State.

The petitioner has renewed his prayer for bail in a case registered for the offences punishable under Sections 18,20 and 22 of the NDPS Act. The petitioner is languishing in custody since 28.9.2015.

The prosecution case is that 12 bags weighing 240 kilograms of Doda (poppy straw) were recovered from the bus of which the petitioner was conductor.

It is submitted by learned counsel for the petitioner that the petitioner being conductor of the bus was not aware of the contraband, as the bags were neatly



packed and it did not create any suspicion. Statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Learned counsel for the State submits that the recovery is of commercial quantity and the trial is on the verge of conclusion.

The report dated 27.7.2017, transmitted by the Senior Superintendent of Police, Gaya, reflects that out of seven chargesheet witnesses, except Constable 442, Rajesh Kumar since he is languishing in Jehanabad jail all witnesses have been examined and for production of Rajesh Kumar necessary steps have been taken. Similar is the report dated 27.7.2017 of learned 7th Additional District and Sessions Judge, Gaya, which also stipulates that the trial will be concluded within four months.

Keeping in view the fact that the trial is likely to be concluded in four months, this court is not inclined to grant bail to the petitioner. This application is, accordingly, dismissed.

However, it is expected from the Senior Superintendent of Police, Gaya to get the remaining witnesses produced forthwith.



Let a copy of this order be handed over to
Mr. Uma Shankar Pd. Singh, learned APP for the needful.

(Dinesh Kumar Singh, J)

Anil/-

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