

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58302 of 2015

Arising Out of PS.Case No. -308 Year- 2013 Thana -GHORASAHAN District-
EASTCHAMPARAN(MOTIHARI)

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1. Shiv Pujan Sah @ Sheo Pujan Sah S/o Rajmat Sah R/o Village-Bijbani
Udhar Sah Ka Tola, P.S.-Jitna (Ghorasahan), District-East Champaran.

... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Adv.

For the Opposite Party/s : Mr. Anuj Kumar Srivastava (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 08-03-2017

The petitioner has renewed his prayer for bail in a case registered for the offences punishable under Sections 20 and 22 of the NDPS Act. The petitioner is languishing in custody since 01.04.2014.

20 kgs. of ganja were recovered from the house of the petitioner.

It is submitted by learned Senior Counsel for the petitioner that recovery has been made from the joint family house. The petitioner has no criminal antecedent.

This Court vide order dated 14.09.2016 called for a report from the learned Sessions Judge –cum-Special Judge, NDPS, East Champaran at Motihari with regard to present stage of trial of NDPS Case No. 122 of 2013 arising out of Ghorasahan (Jitna)P.S. Case No. 308 of 2013. The report of the learned 1st



Additional District & Sessions Judge, East Champaran, Motihari dated 26.09.2016 at flag-‘P’ reflects that only two witnesses have been produced and if the left over witnesses will be produced then the trial will be concluded within a period of six months. Thereafter, this Court vide order dated 08.02.2017 directed the S.P., East Champaran, Motihari to transmit a report as under what circumstances left over witnesses have not been produced and the time frame in which the left over witnesses will be produced.

The report of S.P., East Champaran, Motihari dated 25.02.2017 at flag-‘S’ reflects that out of eight witnesses, two witnesses have already been examined and left over six witnesses will be produced on 01.03.2017.

Considering the commercial quantity of recovery and advance stage of trial, this Court is not inclined to revise earlier order.

Accordingly, the prayer for bail of the petitioner is rejected in connection with NDPS Case No. 122 of 2013 arising out of Ghorasahan (Jitna) P.S. Case No. 308 of 2013.

It is expected from the learned trial court to conclude the trial expeditiously.

(Dinesh Kumar Singh, J)

Amrendra/-

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