

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14363 of 2017

Arising Out of PS.Case No. -196 Year- 2016 Thana -MAHUA District- VAISHALI(HAJIPUR)

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Anil Kumar Chourasiya @ Anil Kumar Chourasia @ Anil Chourasia, S/o
Late Yogendra Bhagat, resident of Village - Lakshmipur, Police Station -
Mahua, District - Vaishali.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Mouar
For the Opposite Party/s : Mr. Yogendra Kr. Singh (APP)

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 08-05-2017 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner is languishing in custody for the offences
punishable under Sections 20, 21 and 22 of the N.D.P.S. Act.

About 100 kilograms of Ganja was allegedly
recovered from the house of this petitioner. The petitioner is in
custody since 17.05.2016.

During the course of argument, learned counsel for
the petitioner has shown certain flaws in the seizure procedure and
submits that whole prosecution is vitiated on that ground alone.

Considering the nature of allegation, I am not
inclined to enlarge the petitioner on bail. Accordingly, his prayer
for bail in connection with Mahua P.S. Case No.196 of 2016



pending in the court of learned Sessions Judge-cum-Special Judge, Vaishali at Hajipur is refused.

However, the learned trial court as well as the Superintendent of Police, Vaishali at Hajipur are directed to take appropriate steps for early conclusion of the trial. The prosecution witnesses should be examined on day to day basis and the Superintendent of Police shall ensure examination of the witnesses in this case on each and every date fixed in the case.

The petitioner may renew his prayer for bail after nine months, if the trial is not concluded.

(Birendra Kumar, J)

Arvind/-

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