

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6119 of 2017

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

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1. Gopi Lall, S/o Khoja Ram, R/o Village- Palli, P.S.- Lohawet, District- Jodhpur, Rajasthan.

.... Petitioner/s

Versus

1. The Union of India.
2. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satish Kumar Sinha, Adv.
For the Opposite Party/s : Smt. Anita Kumari Singh, APP
For Union of India : Ravinder Kumar Sharma, CGC

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

7 18-04-2017 The petitioner is in custody since 11.06.2015 in connection with NDPS Case No. 01 of 2016, arising out of Barachatti P.S. Case No. 227 of 2015 registered for offences punishable under Sections 18, 20 and 22 of NDPS Act.

Allegation against the petitioner is of recovery of 3 kilogram and odd opium in liquefied condition in a container from the possession of the petitioner.

It has been submitted on behalf of the petitioner that though there is allegation against the petitioner more than 3 kilograms of opium has been recovered from him, however he has sufficiently been punished as he has remained in judicial custody for about one and half years. It has also been submitted that earlier



the petitioner was granted provisional bail and he has not misused the same and had himself surrendered after the period was over. Petitioner is a retired military official, deserves the sympathetic view of this Court.

Heard learned A.P.P. and learned counsel for Union of India, they have opposed the prayer for bail.

Having heard both sides, in view of recovery of huge quantity of opium from the possession of the petitioner, I am not inclined to grant the petitioner the privilege of regular bail, it is accordingly rejected.

However, since the petitioner is in custody for about one and half years, trial court is directed to expedite the trial and try to conclude it as soon as possible.

Senior Superintendent of Police, Gaya, is directed to ensure the attendance of witnesses in the trial court on regular basis.

(Vinod Kumar Sinha, J)

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