

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 10290 of 2016

Arising Out of PS.Case No. -59 Year- 2013 Thana -GAYA GRP CASE District- GAYA

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Munna Prasad Gupta, Son of Sukhdeo Prasad Gupta, Resident of Village - Bari Bazar, P.S.- Mohaniya, District - Kaimur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar, Advocate
For the State : Ms. Pronati Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 15-03-2017

Heard learned counsel for the parties.

The petitioner seeks bail in N.D.P.S. Case No. 2 of 2014 arising out of Sasaram G.R.P. Case No. 59 of 2013 dated 11.10.2013 instituted under Sections 21/22 of the N.D.P.S. Act.

This is the second attempt of the petitioner for bail as earlier such prayer was rejected by order dated 14.07.2014 passed in Cr. Misc. No. 15908 of 2014 by which the Court below was directed to expedite the trial and conclude the same within nine months.

Learned counsel for the petitioner submitted that the petitioner is in custody since 11.10.2013.

Learned A.P.P. submitted that 25 packets of heroin have been recovered from the possession of the petitioner.

Having regard to the aforesaid and the facts that no



mitigating circumstances have been shown to the Court since the last order of rejection, the Court is not inclined to reconsider the view taken earlier.

Accordingly, the application stands dismissed.

In view of the fact that earlier also direction was given to conclude the trial within a certain period, and the same not having been done, this Court again directs the Court below to conclude the trial positively by 30th September, 2017. It is observed that if the second time also, there is non compliance by the Court below, this Court would be constrained to take strict view in the matter.

Registry shall communicate the order to the Court below by Fax also latest by day after tomorrow.

(Ahsanuddin Amanullah, J.)

P. Kumar

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