

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36230 of 2016

Arising Out of PS.Case No. -39 Year- 2004 Thana -BAKHTIYARPUR District- PATNA

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Dinesh Singh @ Dinesh Rai, son of Jagdeo Singh @ Jagdeo Rai, resident of
village- Teka Bigha, P.S.- Bakhtiyarpur, District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dshirendra Kumar Trivedi

For the Opposite Party/s : Mr. Sri Nand Kishore Pd

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

04/ 26-07-2017

Though, the matter is listed in today's cause
list at serial no. 142, this matter is being taken up out of turn
hearing on the basis of mentioning slip filed by learned counsel for
the petitioner.

The petitioner has renewed the prayer for bail
in a case registered for the offences punishable under Sections
20/22 of the NDPS Act.

The prosecution case is that on 16.02.2004 the
house of the petitioner was raided and from the premises of the
house, 21 kgs. of Ganja was recovered. The case was registered on
16.02.2014, whereas, the petitioner was arrested on 28.07.2015.

It is submitted by learned counsel for the
petitioner that till date no witness has been examined.



The report of the learned Additional Sessions Judge, IInd, Barh, dated 22.03.2017, reflects that the trial will be concluded within a period of six months.

Considering the commercial quantity of recovery of contraband and the fact that the case was registered in 2004, whereas, the petitioner was arrested in 2015, this Court is not inclined to revise the earlier order. Accordingly, the prayer for bail of the petitioner is rejected.

It is expected from the learned Additional Sessions Judge, IInd, Barh to conclude the trial of Special Case No. 18 of 2004, arising out of Bakhtiarpur P.S. Case No. 39 of 2004, within the time frame, as informed to this Court.

It is expected from the S.S.P., Patna to get all the witnesses produced.

Let a copy of the order be transmitted to learned trial court as well as to S.S.P., Patna.

(Dinesh Kumar Singh, J)

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