

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43336 of 2015

Arising Out of PS.Case No. -166 Year- 2014 Thana -BARACHATTI District- GAYA

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Rameshwar Prasad Son of Shree Sukhdeo Mahto Resident of Village -
Dhamana , Police Station - Barachattia, District Gaya (Bihar)

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Madan Jeet Kumar, Adv.

For the Opposite Party/s : Mr. Smt. Madhuri Lata(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 26.04.2014.

From the possession of co-accused Prayag Prasad, 15 Kgs of ganja were recovered whereas from the possession of co-accused Keshar Prasad, 85 kgs of ganja, from the possession of Shyamdeo Prasad, 43 Kgs of ganja and from the possession of the petitioner, 67 kgs of ganja were recovered.

This Court vide order dated 24.02.2016 called for a report from the learned Sessions Judge, Gaya with regard to present stage of trial of Barachatty P.S. Case No. 166 of 2014. The report of the learned District & Sessions Judge, Gaya dated



17.03.2016 reflects that no witness has been produced and if the witnesses will be produced then the trial will be concluded within a period of six months. Thereafter, this Court vide order dated 18.05.2016 directed the Sr. S.P., Gaya to transmit a report as under what circumstances witnesses are not being produced and the time frame in which the witnesses will be produced.

The report of Sr. S.P., Gaya dated 04.03.2017 at flag-‘X’ reflects that out of eight chargesheet witnesses, six witnesses have already been examined and only two witnesses namely S.I. Anjani Kumar (STF) and S.I. Sunil Kumar (S.T.F.) are left to be examined. The report further suggests that Sr. S.P., Gaya has intimated S.P. (S.T.F.) Bihar, Patna for a direction to the left over witnesses to appear before the learned court below on 29.03.2017. It is expected from the Sr. S.P., Gaya to get the left over two witnesses produced without delay.

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 Barachatti P.S. Case No. 166 of 2014 pending in the court of learned Sessions Judge, Gaya.



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

(Dinesh Kumar Singh, J)

Amrendra/-

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