

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18186 of 2017

Arising Out of PS.Case No. -5 Year- 2014 Thana -SIMRI District- BUXAR

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Rakesh Kumar Mishra @ Rakesh Kumar Pathak Son of Shri Sudhir Chand
Mishra Resident of Village- Manjhawari, P.S. Simri, District Buxar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rohit Kumar, Adv.

For the Opposite Party/s : Mr. Matloob Rab, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 21-06-2017 Heard both sides.

The petitioner seeks bail in Simri P.S. Case No. 05/2014, registered for the offences punishable under Sections 20(B)(ii)(C), 22, 27(A) and 29 of the N.D.P.S. Act and section 47(A) of the Bihar Excise Act.

Learned counsel for the petitioner submits that prayer for bail of the petitioner was earlier rejected vide order dated 01.05.2015 passed in Cr. Misc. 29559/2014, but the trial has not yet been concluded. On such, a report was called for from the trial judge and the learned trial judge has reported that all the prosecution witnesses have already been examined and the case is fixed for recording the statement of the accused persons under Section 313 of the Cr.P.C. On 19.05.2017 the statement of the



accused could not be recorded on account of absence of one of the accused.

Considering the facts aforesaid and the fact that trial is at its fag end and pending for the statement of the accused, I am not inclined to enlarge the petitioner above-named on bail. Accordingly, the same is rejected.

The trial court is directed to conclude the argument of the case within three weeks.

(Prabhat Kumar Jha, J.)

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