

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 3363 of 2018

Arising Out of PS. Case No.-119 Year-2016 Thana- Gandhi Maidan District- Patna

Rakesh Kumar Son of Ashwani Prasad @ Ashni Prasad @ Ashwani Kumar a
resident of Mohalla-Shastri Nagar, Police Station-Rampur, District-Gaya.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Harish Kumar

For the Opposite Party/s : Mr. Madan Kumar

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

4. 07-02-2018 Heard Sri Harish Kumar, learned counsel for the
petitioner and Sri Madan Kumar, learned Addl. Public
Prosecutor.

This is the 2nd attempt for grant of bail on behalf of the
petitioner. Earlier, the prayer for bail of petitioner was rejected
on 19-12-2016, vide Cr. Misc. No. 47409 of 2016, considering
the fact that in the case, there was recovery of 485 gm of
Heroin.

Learned counsel for the petitioner submits that despite the
fact that petitioner is in custody since long, no appropriate
progress has taken place in the case before the court below.

In this case, vide order dated 24-01-2018, a report was
called for from the court below regarding stage of the case,
which has been received and kept at flag 'A'. The report,



contained in letter no. 85 dated 01-02-2018, under the signature of learned 1st Addl. District & Sessions Judge, Patna has been received. On perusal of the same, it appears that case is fixed for charge and in the case, one of the co-accused, though has filed a petition for discharge, it was not moved.

Considering the fact that the case is at the stage of charge and on merit, the prayer for bail has already been rejected, there is no reason to review my earlier order.

The prayer for bail again stands rejected, with an observation that learned court below as well as prosecution may take appropriate step so that the case may come to its logical end without unnecessary delay.

(Rakesh Kumar, J.)

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