

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.53585 of 2017

Arising Out of PS.Case No. -189 Year- 2013 Thana -KALYANPUR District-
EASTCHAMPARAN(MOTIHARI)

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1. Kameshwar Singh Son of late Ram Balak Singh Resident of Village-
Gokhula, Police Station- Baruraj, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh

For the Opposite Party/s : Mr. Sri Sanjay Kumar Sharma

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

ORAL ORDER

6 09-05-2018

Heard.

The petitioner has renewed the prayer for bail in a case registered under Section-414 of the Indian Penal Code and Sections-20, 22 & 23 of NDPS Act.

The accusation is that in course of search of the Tata Safari Vehicle, petitioner and one Ram Babu Jaiswal were found sitting and on search of the vehicle, 14 bags, each containing 10 kilogram ganja total weighing 140 kg., were recovered. Petitioner and one Ram Babu Jaiswal did not give any satisfactory reply about possession of the contraband. The petitioner for the first time moved before this court vide Cr. Misc. No. 8490 of 2014 with a prayer for grant of regular bail, which was rejected by a coordinate bench of this court vide order dated 11-04-2014. Thereafter, he moved second time for custody bail vide Cr. Misc. No.48632 of 2014 which was again rejected vide order dated 17-12-2014 by the same coordinate bench of this court. Thereafter, the petitioner preferred Cr. Misc. No. 21816 of 2015 with a prayer for



custody bail, suppressing this fact that his custody bail has earlier twice been rejected. However, the same was permitted to be withdrawn on the prayer of the counsel for the petitioner vide order dated 17-07-2015 passed by this court. The petitioner moved this court for the fourth time for custody bail vide Cr. Misc. No. 38328 of 2015, which was disposed of vide order dated 18-10-2016 by this court stipulating therein in detail as to how the petitioner resorted to all sorts of fraudulent means for trying to get bail.

On the ground of recovery of commercial quantity of Ganja, this court is not inclined to revise the earlier order. Accordingly, prayer for bail of the petitioner is rejected.

However, it is submitted that since the petitioner is in custody since 19-09-2013, the trial court may be directed to expedite the trial and conclude the same as early as possible.

Keeping in view the period of custody, it is expected from the Additional Sessions Judge, Motihari, East Champaran to conclude the trial of the Kalyanpur P.S. Case No. 159 of 2013 N.D.P.S. Case No. 141 of 2013 expeditiously, preferably within nine months from the date of receipt/production of copy of this order.

It is expected from the SP, Motihari, East Champaran to ensure the timely production of witnesses before the learned Trial Court.

(Dinesh Kumar Singh, J)

A.K.V./-

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