

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.47445 of 2018

Arising Out of PS. Case No.-52 Year-2016 Thana- JIRADEI District-
Siwan

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Shanish Kumar @ Chhote @ Shanni Kumar Son of Janka Sah,
resident of Village- Dakhin Tola, Siwan, P.S.- Siwan, District-
Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh

For the Opposite Party/s : Mr. Sri Surendra Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

3 28-11-2018 The petitioner has renewed his prayer for bail in

connection with Jiradei P.S. Case No. 52 of 2016(Trial No.

87/16) instituted for the offences under Sections 20 and 22

of the Narcotic Drugs & Psychotropic Substances Act, 1985.

The prayer for bail of the petitioner was earlier
rejected vide order dated 03.01.2018.

It has been submitted on behalf of the petitioner
that 190 grams of *Charas* was allegedly recovered from his
possession and the person from whose possession bigger
quantity of narcotics was recovered, has been granted bail



by a Bench of this Court. However, this argument did not find favour with this Court and the prayer for bail of the petitioner was rejected.

The report which has been received from the Trial Court about the stage of the case indicates that only five witnesses have been named in the charge-sheet and all of them are Police witnesses. Despite this, the trial has not concluded even when the petitioner has remained in jail for about two years.

It appears that two witnesses have already been examined and the rest are in the process of being examined.

The Trial Court is, therefore directed to conclude the trial, preferably within a period of six months, failing which the petitioner would be at liberty to approach this Court again for grant of bail.

(Ashutosh Kumar, J)

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