

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35644 of 2018

Arising Out of PS. Case No.-79 Year-2017 Thana- MANJHI District- Saran

Parmatma Yadav, Son of Late Hira Yadav, Resident of Village- Vashishth
Nagar Plot, P.S.- Revti, District- Balia (U.P.).

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Sri Amit Kumar Rakesh

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

5 26-09-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered under
Sections 20 and 22 of the N.D.P.S. Act.

4 Kg of ganja is said to have been recovered from
the possession of the petitioner.

It is submitted by learned counsel for the
petitioner that no incriminating article has been recovered from
the conscious physical possession of the petitioner. He has been
falsely implicated in the case. He has been languishing in
custody since 02.05.2017. As per the report dated 12.09.2018 of
learned lower court, all the prosecution witnesses barring the
I.O. have been examined by the prosecution. Earlier the court
below was directed to dispose of the case as early as possible



preferably within five months from the date of receipt/production of a copy of this order with liberty to the petitioner to renew his prayer for bail vide order dated 14.03.2018. Hence the petitioner may be enlarged on bail.

Bail petition of the petitioner has been rejected twice by this Court and only the I.O. of the case is left to be examined by the prosecution, hence in the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. Prayer for bail of the petitioner is rejected.

However, learned Trial Court is directed to dispose of the case as expeditiously as possible preferably within three months from the date of receipt/production of a copy of this order.

Superintendent of Police, Saran at Chapra is directed to ensure the production of the I.O. of the case on the very first day fixed in the case by the court below without fail. If the trial is not concluded within the stipulated period, the petitioner may renew his prayer for bail.

(Prakash Chandra Jaiswal, J)

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