

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63357 of 2018

Arising Out of PS. Case No.-121 Year-2016 Thana- BEGUSARAI GRP CASE District-
Begusarai

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Bhajan Sarkar, son of Sukesh Sarkar, resident of Village- Raspur, P.S.-
Kotwali, District- Kuch Bihar (West Bengal).

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh, Advocate
For the Opposite Party/s : Mr. Ram Priya Saran Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 28-11-2018

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner seeks bail in **Barauni Rail P.S. Case No.121 of 2016 (NDPS case No.19 of 2016)** instituted for the offence under Section(s) 20, 22 of the NDPS Act pending in the Court of the **Additional Sessions Judge 1st, cum Special Judge, NDPS Act, Begusarai.**

Prayer of the petitioner for grant of bail was rejected twice by this Court; lastly by order dated 21.02.2018 passed in Cr. Misc. No.2415 of 2018 with direction to the trial Court to conclude the trial within a period of six months from the date of receipt of copy of the order. Liberty was given to the petitioner to renew his prayer for bail after six months if no substantive



progress is made in trial.

A report was called for from the Court below, which has been received, from which it appears that all the prosecution witnesses have been examined and the case was fixed on 31.10.2018 for recording statement under Section 313 Cr.P.C. The Court below has mentioned in the report that trial is likely to be concluded within a period of two months.

In such circumstances, this Court is not inclined to enlarge the petitioner on bail at this stage as the trial has proceeded and substantial progress has been made in the trial.

Prayer of the petitioner for grant of bail is, again, rejected.

The Trial Court is directed to conclude the trial within a period of three months from the date of receipt/production of copy of this order by fixing the case on day to day basis.

Liberty is given to the petitioner to renew the prayer for bail if trial is not concluded within aforesaid period.

(Sanjay Priya, J)

J. Alam/-

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