

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10543 of 2017

Arising Out of PS.Case No. -2 Year- 2011 Thana -BARAHIYA District- LAKHISARAI

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1. Hardeo Manjhi, Son of Nande Lal Manjhi @ Nandy Lal Manjhi @ Nand Lal Manjhi, Resident of Village- Gangasari, P.S.- Barahiya, District- Lakhisarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. Md. Nazir Ansari

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 21-02-2018

Heard.

This matter has been listed under the heading “for Orders”.

Flag “I” is the letter issued by the office of the Superintendent of Police, Lakhisarai.

Counsel for the petitioner has submitted that this is fourth time application on behalf of the petitioner in which, he seeks bail in a case registered for the offence punishable under Sections-272 & 273 of the Indian Penal Code and Sections-21/22 of NDPS Act.

170 Kg. Ganja was recovered from house of the petitioner.



Earlier prayer for bail of the petitioner was granted by this court vide order dated 06-04-2016 passed in Cr. Misc. No. 11697 of 2016 on the ground that the report, as called for from the learned Additional Sessions Judge-I, Lakhisarai suggests that out of eight charge sheet witnesses, three have been examined and against rest witnesses, NBW has been issued and trial is likely to be concluded within six months. Thereafter, a report was called for from the trial court. The report dated 02-01-2018 sent by learned Additional District & Sessions Judge-I, Lakhisarai at flag “A” reflects that the last witness was examined on 25-10-2016.

In the circumstance, the Superintendent of Police, Lakhisarai has filed affidavit dated 12-02-2018 to the effect that there are only six witnesses and out of which, five witnesses have already been examined and one witness is dead.

A petition has been filed before the learned court below with a prayer to close the evidence. Copy of Annexure-G has been filed by SPP suggests that total six witnesses have been examined and one witness has died.

Considering the present stand of the prosecution, present state of the trial and recovery of commercial quantity of contraband, this court is not inclined to grant bail to the petitioner. Accordingly, prayer for bail is rejected.



It is expected that the trial of the petitioner will be concluded expeditiously, preferably, within three months from the date of receipt of the order.

(Dinesh Kumar Singh, J)

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