IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16752 of 2018

Arising Out of PS.Case No. -164 Year- 2016 Thana -MUFFASIL District- AURANGABAD

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1. Ram Lakhan Tiwary S/o Late Raj Devan Tiwari, Resident of Village-Daudnagar, P.S. Daudnagar, District Aurangabad.

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :
For the Petitioner/s : Mr. Ashok Kumar Singh
For the Opposite Party/s : Mr. Nagendra Prasad

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 08-08-2018 Heard both sides.

The petitioner seeks bail in Aurangabad (Muffasil) P.S. Case No.164/2016 registered under Sections 8/20(b)(ii)(c) of N.D.P.S. Act.

Learned counsel for the petitioner submits that the prayer for bail of the petitioner was earlier rejected vide order dated 10.03.2017 but other accused persons have already been granted bail. The Trial has not yet been concluded.

A report was called for from the Superintendent of Police, Aurangabad and the court in cesin of the case. The Superintendent of Police, Aurangabad reported that the trial is at a fag end and as many as five prosecution witnesses have already been examined. It appears that the petitioner was a cleaner of the

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pick up van bearing Registration No.BR 04M 0561 and on search Rs.2, 70,000/- cash and 898 kg ganja was recovered. It appears that nine quintal of ganja was recovered from the conscious possession of the petitioner and the driver of the vehicle.

Taking into consideration the aforesaid fact, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

The Trial Court is directed to hold the trial on day to day basis and conclude the same within four months from the date of receipt of this order.

The Superintendent of Police, Aurangabad is directed to ensure the attendance of the prosecution witnesses in the Trial court on the date fixed by the trial court in connection with Aurangabad (Muffasil) P.S. Case No. 164/2016, pending in the court of learned Special-cum-Sessions Judge, Aurangabad, so that the trial must be concluded within four months.

Let a copy of this order be sent to the Trial Court as well as the Superintendent of Police, Aurangabad for information and needful.

(Prabhat Kumar Jha, J)

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