

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21779 of 2018

Arising Out of PS. Case No.-339 Year-2014 Thana- UDWANTNAGAR District- Bhojpur

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Rakesh Kumar Singh @ Prince Kumar, Son of Jai Kumar Singh, resident of village - Masarh, Police Station - Udwantnagar in the district of Bhojpur.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Adv.

For the Opposite Party/s : Mr. Tapeswar Sharma

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 09-05-2018 Heard Sri Sunil Kumar, learned counsel for the petitioner and Sri Tapeswar Sharma, learned Addl. Public Prosecutor.

This is third attempt for grant of bail on behalf of the petitioner. The petitioner is in custody in Udwantnagar P.S. Case No.339 of 2014, corresponding to N.D. P.S. Case No.10 of 2014 on an accusation of recovery of 92 Kg of Ganja from his house. By last order , a report from the court below was called for regarding stage of the case, which has been received and kept at Flag-X. On perusal of the report , it is evident that before the court below, trial has already commenced and at least one prosecution witness has been examined on 24.07.2017 and thereafter, the prosecution has not produced any witnesses.



Considering the fact that the trial has already commenced, there is no reason to review my earlier order. However, considering the fact that the petitioner is in custody since 11.02.2015 and processes have been issued for securing attendance of the witnesses, while dismissing the prayer for bail of the petitioner, it is desirable to direct the prosecution to produce witnesses, as and when required by the trial court.

The concerned Superintendent of Police is directed to ensure attendance of witnesses as per direction of the trial court.

With above observation, the petition stands dismissed.

Let a copy of this order be sent to the concerned Superintendent of Police for its compliance.

(Rakesh Kumar, J)

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