

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29105 of 2018

Arising Out of PS. Case No.-299 Year-2016 Thana- RAMNAGAR District- West Champaran

Khalid Mohammad @ Daulat Mian, S/o Nathu Ansari, R/o Dhakaraha, P.S.
Ramnagar, District- West Champaran.

... .. Petitioner

Versus

1. The State of Bihar.
2. The Union of India through Zonal Director, Narcotic Control Bureau, Patna.

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Hari Mohan Tripathi, Adv.
For the State : Mr. A.M. Mehta, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

4 08-08-2018 Heard learned counsel for the petitioner and

learned counsel for the State.

The petitioner seeks bail in connection with Tr.
No. 16 of 2017, arising out of Ramnagar P.S. Case No. 299 of
2016, registered under Section 21(b) of the N.D.P.S. Act,
pending in the Court of Addl. Sessions Judge-V, Bettiah, West
Champaran.

The accusation is of recovery of 109.310 grams of
intoxicated materials like smack from the possession of the
petitioner.

Learned counsel appearing on behalf of the
petitioner submits that the bail prayer of the petitioner was
earlier refused on 07.07.2017. The petitioner is in custody since
26.12.2016. Further submission is that the alleged recovery
from the possession of the petitioner will come in between



small quantity and commercial quantity. Further submission is that while charge has been framed against the petitioner on 12.02.2018, but up-till-now out of six witnesses cited in the Chargesheet, only two witnesses have been examined in this case.

A report regarding stage of trial of the petitioner has been received through letter No. 2474, dated 24.07.2018 from the court of learned District and Sessions Judge, West Champaran at Bettiah, which disclosed that charge has been framed against the petitioner on 12.02.2018 and up till now, out of six Chargesheet witnesses, two prosecution witnesses have been examined.

Having considered the facts and circumstances of the case and nature of allegation, I am not inclined to enlarge the petitioner on bail. Accordingly, the prayer of the petitioner, above named, is rejected. However, learned Sessions Judge, West Champaran at Bettiah is directed to conclude the trial of the petitioner within six months by taking all effective steps, if the trial of the petitioner is not concluded within the aforesaid period, the petitioner is at liberty to renew his prayer for bail.

(Rajendra Kumar Mishra, J)

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