

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16107 of 2019

Arising Out of PS. Case No.-21 Year-2017 Thana- D.R.I District- Patna

SRI VIJOY ROY @ VIJAY ROY, Son of Late Bijen Roy, Resident of Village - Bhola More, Jamribhita, Debgam, P.O. - Sahudangi Hat, P.S Bhakti Nagar, District - Jalpaiguri (West Bengal)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ashok Kumar, Intelligence Officer, D.R.I, Regional Unit, Patna, Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 23834 of 2019

Arising Out of PS. Case No.-21 Year-2017 Thana- D.R.I District- Patna

LITTU DAS @ LITU DAS, Son of Ranjit Chandra Das, Resident of Village - Bhola More Jamuri Bhita, Dabgram, P.O - Sahudangi Hat, P.S - Bhakti Nagar, District - Jalpaiguri (West Bengal).

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ashok Kumar, Intelligence Officer, DRI, Regional Unit, Patna.

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 16107 of 2019)

For the Petitioner/s : Mr. Ramakant Sharma, Sr. Advocate
Mr. Anil Kumar Sinha, Advocate

For the Opposite Party/s : Mr. S.D. Sanjay, A.S.G.
Mr. R.K. Sharma, C.G.C.

(In CRIMINAL MISCELLANEOUS No. 23834 of 2019)

For the Petitioner/s : Mr. Ramakant Sharma, Sr. Advocate
Mr. Anil Kumar Sinha, Advocate

For the Opposite Party/s : Mr. S.D. Sanjay, A.S.G.
Mr. R.K. Sharma, C.G.C.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

5 26-06-2019

Heard learned counsel for the parties.

Petitioners seek bail in a case registered for the offences punishable under Sections 20(b)(1), 23, 25 and 29(1) of the Narcotic Drugs and Psychotropic Substances Act, 1985.



Special Case No. 39 of 2017, arising out of DRI Unit Case No. 21 of 2016-17, a case under the provisions of the N.D.P.S. Act, with allegation of recovery of 45.500 Kgs. of Ganja, was pending before the learned Additional Sessions Judge-X, Patna, when this Court by order dated 08.05.2018 passed in Cr. Misc. No. 7611 of 2018 directed the Special Judge, Patna to expedite the trial and proceed on day-to-day basis.

The report of the learned Additional Sessions Judge-VII, Patna dated 10.05.2019 where the case was pending would reveal that by order of the learned District Judge, Patna the case record was transferred to different courts of learned Additional Sessions Judges including learned Additional Sessions Judge-V, Patna and learned Additional Sessions Judge-VII, Patna. Now the case is before the learned Additional Sessions Judge-XIV, Patna.

This Court is not aware as to under what circumstances within such a short span of time, the case was transferred from one court to another but one fact is evident that trial has not concluded as yet.

Let the trial be concluded within a period of six months from the date of receipt/production of a copy of this order as four prosecution witnesses have already been



examined.

With the aforesaid observation, I am not inclined to enlarge the petitioners on bail in connection with Special Case No. 39 of 2017, arising out of DRI Unit Case No. 21 of 2016-17, pending in the court of learned Additional Sessions Judge-X, Patna/Successor Court.

Let a copy of this order be communicated to the learned District Judge, Patna also for needful.

If the trial is not concluded within the aforesaid period, the petitioners may renew their prayer for bail along with a copy of the order sheet of the learned court below from today on wards.

(Birendra Kumar, J)

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