

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27203 of 2019

Arising Out of PS. Case No.-24 Year-2014 Thana- ECONOMIC OFFENCES, BIHAR
District- Patna

Prakash Giri @ Om Prakash Giri

... .. Petitioner/s

Versus

The State Of Bihar Through The Economic Offences Department Unit,
Government Of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nafisuzzoha

For the Opposite Party/s : Mr.V.N.P Singh(Sr. Advocate For Eco. Dept) Unit
Govt. Of Bihar

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

3 18-09-2019 Heard learned counsel appearing for the petitioner as
well as learned counsel appearing for the Economic Offence
Unit, Bihar.

Earlier, the prayer for bail of the petitioner was thrice
rejected and while rejecting the bail prayer of the petitioner vide
order dated 25.07.2018 passed in Cr. Misc. No. 30325 of 2018,
this Court directed the trial court to dispose of the trial of the
petitioner within six months but the trial court vide letter no. 49
dated 13.05.2019 has reported that up till now out of twelve
proposed witnesses only seven prosecution witnesses could be
examined.

The report of learned trial court goes to show that five



prosecution witnesses are yet to be examined.

Since near about 413 k.g Ganja was recovered from a vehicle which was being driven by the petitioner at the time of alleged recovery, I am not inclined to release the petitioner on bail and, accordingly, his prayer for bail in connection with Special Case No. 38 of 2014 arising out of Economic Offence P.S.Case No. 24 of 2014, pending in the court of Additional Sessions Judge, III cum Special Judge, Patna stands rejected.

However, learned trial court is directed to conclude the trial of the petitioner as early as possible, preferably, within four months from the date of receipt/ production of copy of this order even by taking the trial of the petitioner on day to day basis. Furthermore, the Superintendent of police Economic Offence Unit, Bihar is directed to ensure the presence of remaining prosecution witnesses before the learned Additional Sessions Judge-III, cum Special Judge, Patna in connection with Special Case No. 38 of 2014 arising out of Economics Offence P.S.Case No. 24 of 2014 within two months from the date of receipt of this order, failing which this Court shall take serious view against him.

Let a copy of this order be sent to Superintendent of Police Economic Offence Unit, Bihar for needful.



However, it is also made clear that if the trial of the petitioner is not concluded within the above stated period of four months, petitioner may renew his prayer for bail before this Court itself.

(Hemant Kumar Srivastava, J)

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