

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29133 of 2019

Arising Out of PS. Case No.-50 Year-2017 Thana- CHHATAUNI District- East Champaran
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RAJENDRA GUPTA Son of Ram Bahadur Sah Resident of Village -
Harnarayna, P.S.- Pipra, District- East Champaran, Motihari

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra
For the Opposite Party/s : Mr.Binod Kumar

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 21-08-2019 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks bail in connection with NDPS
Case No. 17 of 2017 for the offence under Sections 20, 22
and 17A(c) of the NDPS Act.

Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is
innocent and has not committed any offence. In fact, earlier
the prayer for bail of this petitioner has been rejected vide
order dated 16.04.2018 by a co-ordinate Bench of this Court
with a direction to the court below to conclude the trial
within twelve months but out of six witnesses only two
witnesses have been examined as yet and therefore, the trial



is not likely to be concluded in near future. The petitioner is languishing in judicial custody since 22.02.2017. Hence, the petitioner may be enlarged on regular bail.

Learned counsel for the State has opposed the prayer for bail and submitted that 02 kg Hasis has been recovered from the conscious possession of the petitioner and the trial of this case is likely to be concluded in six months which is evident from the report of 1st Additional Sessions Judge, East Champaran, Motihari, at 'Flag-A'.

Considering the facts and circumstances of the case, this Court is not inclined to grant regular bail to the petitioner. Accordingly, the prayer for grant of regular bail of this petitioner is rejected.

However, the learned trial court is directed to expedite the trial and try to conclude the same within a period of six months from the date of this order.

(Arvind Srivastava, J)

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