

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37272 of 2019

Arising Out of PS. Case No.-17 Year-2018 Thana- EAST CHAMPARAN GRP CASE
District- East Champaran

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SHANTI DEVI @ SHANTIU DEVI @ SHANTI W/o Raj Kumar Singh R/o
village- Chatauni, P.S.- Chatauni, District- East Champaran at Motihari

... .. Petitioner/s

Versus

THE UNION OF INDIA

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vikram Jeet

For the Opposite Party/s : Mr.Satyadarshi Sanjay (Aor1584)

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

4 24-07-2019 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner seeks bail in a case registered under

Sections 8/20 of the N.D.P.S Act.

260 grams of Charas is said to have been

recovered from the possession of the petitioner.

It is submitted by learned counsel for the

petitioner that no incriminating article has been recovered from

the conscious physical possession of the petitioner. Seized

contraband is less than commercial quantity. Petitioner has been

languishing in custody since 30.04.2018. Earlier bail petition of

the petitioner was rejected by this Court vide order dated

08.10.2018. She happens to be lady. Hence she may be enlarged



on bail.

On the other hand, learned APP for the State vehemently opposing the bail petition submitted that 260 grams of Charas has been recovered from the possession of the petitioner, hence she does not deserve bail.

From perusal of the report of the lower court submitted vide Letter No. 1439 dated 16.07.2019, it appears that six prosecution witnesses have been examined by the prosecution as yet and learned lower court has sought six months time for the conclusion of the trial. It is not mentioned that as to how many witnesses are left to be examined by the prosecution.

Having regard to the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. Prayer for bail of the petitioner is rejected.

However, learned Trial Court is directed to conclude the trial within four months from the date of receipt/production of a copy of this order positively fixing the case on day to day basis and S.P., East Champaran, Motihari is directed to ensure production of the witnesses in the case on each and every date fixed without fail.

Let a copy of this order be communicated to S.P., East



Champaran, Motihari by fax for needful.

(Prakash Chandra Jaiswal, J)

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