

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.71369 of 2018

Arising Out of PS. Case No.-5 Year-2016 Thana- GOVERNMENT OFFICIAL COMP.
District- Patna

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Munna Rai S/o Late Surendra Rai R/o Village-Jagdishpur,P.O. Mohanpur,P.S.
Raghavpur,Distt.-Vaishali

... .. Petitioner/s

Versus

The Union Of India , Through Intelligence Officer, Patna Zonal Unit,
Narcotic Control Bureau, Minis Bureau, Ministry of Home Affairs,
Government of India

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sudha Chandra
For the Opposite Party/s : Mr.S.D Sanjay Addl. Soc. Gen.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 06-02-2019 Heard the learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks bail in Special Case No. 55/2016,
arising out of NCB/PZU/V/05/2016, instituted for offence under
Section(s) 8/20(C) of the N.D.P.S. Act.

Earlier prayer for bail of petitioner was twice rejected
by this Court. By the later order dated 03.01.2018 passed in Cr.
Misc. No. 54911/2017 petitioner was given liberty to renew
prayer for bail if trial is not concluded within nine months.

Learned counsel for the petitioner has submitted that
trial has not been concluded within aforesaid period.

Report from the court below regarding present stage



of trial has been received, from which it appears that charge has not framed in this case.

It is alleged in the written report that 80 kg of *Ganja* has been recovered from the vehicle on which this petitioner along with three others were found sitting.

This Court finds that there is specific allegation against this petitioner in the written report of recovery of huge quantity of *Ganja* from the vehicle in which petitioner was found sitting.

Learned counsel for the petitioner has submitted that other accused persons have already been granted bail by Co-ordinate Bench of this Court.

This Court does not find the same to be fresh ground to consider the bail petition of petitioner. Accordingly, the same is rejected.

The trial court has not concluded the trial within period as directed by this Court.

Show cause was called for from the court below for not taking effective steps and conclusion of trial but no show cause has been filed.

This Court finds that trial court has no seriousness to comply the directions of this Court and also no respect for



orders passed by this Court. The trial court has not taken effective steps for early conclusion of trial in terms of earlier order passed by this Court dated 03.01.2018 in Cr. Misc. No. 54911/2017. The trial court has also not filed any show cause in compliance of order of this Court dated 09.01.2019.

The trial court is directed to be careful in future in complying the order of this Court otherwise serious view will be taken.

Petitioner is in custody since 06.08.2016.

The trial court is directed to expedite the trial and make efforts to conclude the same as early as possible by fixing the case on day to day basis within six months from the date of receipt of copy of order.

The court below will send compliance report to this Court after six months.

Let the order be communicated to the court below and be also attached with ACR of officer concerned.

(Sanjay Priya, J)

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