

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48567 of 2019**

Arising Out of PS. Case No.-50 Year-2019 Thana- BARAUNI RAIL P.S. District- Begusarai

SUDHIR MAHTO Son of Laljee Mahto Resident of Village - Rudauli, P.S. -
Bachhwada, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.Bharat Bhushan(App156)

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

4 11-12-2019 Heard learned counsel for the parties.

This application for regular bail arises out of NDPS Case No. 9 of 2019 arising out of Barauni Rail P.S. Case No. 50 of 2019, disclosing offences punishable under Sections 414/34 of the Indian Penal Code and Sections 137, 145, 147 of the Indian Railway Act read with Sections 20/22 of the N.D.P.S. Act.

By an order dated 20.01.2019 a report was called for from the Court of learned Special Judge, NDPS Act, Begusarai as regards the present status of the trial arising out of Barauni P.S. Cse No. 50 of 2019. A report has been received from which it appears that the case record is on the stage of evidence. Third December, 2019 was the date fixed for evidence.

Since there is a progress in the trial, I am not inclined to entertain this regular bail application at this stage, keeping in mind the petitioner's implication in other criminal cases as can be seen from



paragraph 3 of the application.

This application is, accordingly, rejected at this stage.

The petitioner shall be at liberty to apply for regular bail after six months, if, in the meanwhile, trial is not concluded.

The Court below is directed to ensure expeditious conclusion of the trial, preferably within the aforesaid period of six months.

Learned counsel appearing on behalf of the petitioner has drawn my attention to an order of this Court dated 06.09.2019, whereby one Manikant Kumar, a co-accused has been allowed regular bail though he too, has criminal antecedent, which fact was concealed by him.

It will be open for the State to apply for cancellation of bail granted to said co-accused Manikant Kumar, by order dated 06.09.2019 passed in Cr. Misc. No. 56538 of 2019.

Let a copy of this order be communicated to the District Magistrate, Begusarai and the Superintendent of Police Begusarai forthwith.

(Chakradhari Sharan Singh, J)

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