

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52895 of 2019

Arising Out of PS. Case No.-259 Year-2018 Thana- KARAHGAR District- Rohtas

Butai Singh S/O Ram Awdhesh Singh Resident of Village- Girdharpur P.S.-
Karaghar District Rohtas, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Singh
For the Opposite Party/s : Mr. Ram Sumiran Rai

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

ORAL ORDER

3 20-11-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Kargahar
P.S. Case No. 259 of 2018 registered for the offence punishable
under Sections 20(b)(ii)(c), 21, 25 and 29 of N.D.P.S. Act.

One Lallan Ram was apprehended with 500gm.
Ganja, and on his disclosure that he had purchased the aforesaid
ganja from the petitioner, police recovered 10.120 Kg. ganja
from the house of the petitioner and the petitioner was
apprehended. Seizure list of the said contraband was prepared
which bears signature of the petitioner.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from conscious



physical possession of the petitioner. House of the petitioner is joint family house and is inhabited by several other family members of the petitioner and he had no knowledge of keeping of aforesaid ganja in the house by someone. Petitioner has no criminal antecedent and has been languishing in custody since 4.07.2019. Earlier, the bail prayer of the petitioner was rejected directing the learned lower court to conclude the trial within six months with liberty to the petitioner to renew his prayer for bail, if the trial is not concluded within the stipulated period but, learned lower court vide letter no. 76 dated 4.09.2019 has reported that out of six prosecution witnesses, only one witness has been examined and has sought six months time to conclude the trial provided both parties extend their cooperation, hence, the petitioner may be enlarged on bail.

Per contra, learned APP for the State opposing the bail prayer of the petitioner submitted that huge quantity of *ganja* has been recovered from the house of the petitioner, hence, the petitioner does not deserve bail.

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

However, learned court below is directed to conclude



the trial as expeditiously as possible preferably within four months from the date of receipt/prodution of a copy of this order and S.P. Rohtas 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. Rohtas by fax for needful.

Both parties are directed to extend all sorts of cooperation in concluding the trial.

(Prakash Chandra Jaiswal, J)

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