

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21035 of 2020**

Arising Out of PS. Case No.-263 Year-2019 Thana- KHAGARIA District- Khagaria

TAPSI YADAV Resident of Village - Rampur Ward No. 5, P.S. - Alouli,
District - Khagaria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Praveen Kumar Agrawal, Advocate
For the Opposite Party/s : Mr. Kumar Uday Pratap, Special P.P.

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER**

2 29-06-2020 As of now the Courts have not resumed normal physical hearing, the matter has been listed today for consideration through Video Conferencing.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual court proceedings from their homes, all with the aid of audio visual technology.

Heard learned Counsel for the petitioner and the learned Counsel for the State.

Petitioner seeks bail in Special Case No. 3 of 2019 arising out of Khagaria PS Case No. 263 of 2019 registered under Sections 8, 20(b)(ii)(c), 25 and 29 of NDPS Act.

The petitioner has renewed his prayer for bail after its rejection earlier under order dated 18.11.2019 passed in Cr. Misc. No. 67908 of 2019.

14.800 Kilograms Ganja is alleged to have been recovered, for which the petitioner has been prosecuted.

This Court while rejecting petitioner's application on 18.11.2019 had directed that his case be expedited and concluded



within a period of six months. The petitioner thereafter had renewed his prayer for bail before the Special Judge, which was rejected on 2.6.2020.

From the order of rejection it appears that four out of five witnesses have already been examined. On 17.2.2020 a letter was sent to the S.P. Khagaria for producing the remaining witnesses. Intervening lock down, occasioned on account of Covid-19 pandemic has frustrated the progress in the meantime.

The court below should make all endeavours to conclude the trial expeditiously since four out of five witnesses have already been examined.

Learned Special PP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, this Court for the present is not inclined to allow petitioner's prayer for bail.

The prayer for bail is rejected.

The court below should make all endeavours to ensure that the trial is concluded within two months.

(Madhuresh Prasad, J)

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