

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27195 of 2020

Arising Out of PS. Case No.-322 Year-2016 Thana- BARACHATTI District- Gaya

Mishari Lal @ Nawal (Male), aged about 36 years, Son of Mewa Lal
Resident of Village-Arakpur, P.S.-Katorali, District-Fatehpur (Uttar Pradesh).

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Ansul, Advocate
For the Opposite Party : Mr.Pawan Kumar Chaurasia, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 02-11-2020 Heard Mr. Ansul, learned counsel appearing on
behalf of the petitioner and Mr. Pawan Kumar Chaurasia learned
counsel appearing on behalf of the State.

The petitioner, who has again renewed his prayer for
bail, is in custody in connection with NDPS Case no.13 of
2019(52 of 2017) arising out of Barachatti P.S. Case No. 322 of
2016 for the offence under Sections 20, 22 and 29 of the
Narcotic Drugs & Psychotropic Substances Act, 1985.

The prayer for bail was thrice rejected by a coordinate
Bench of this Court, the last one is the order dated 23.01.2019
passed in Cr. Misc. No. 78682 of 2018. However, observation
was made by the Court with a direction to the court below to
expedite the trial but trial is still inconclusive.

Learned counsel appearing on behalf of the petitioner



would submit that similarly circumstanced other co-accused has been granted bail.

Considering the fact that there is recovery of 75 kilograms of Ganja in the present case, the Court is not inclined to grant bail to the petitioner. The prayer for bail is again rejected.

However, in view of the aforesaid observations, the Court is constrained to direct the court below to conclude the trial within a period of six months. In the event the trial is not concluded within the stipulated time, the court below shall release the petitioner on bail on appropriate terms and conditions. The court below is under obligation to furnish reasons as to why trial has not been concluded within the time frame before Registrar (Vigilance) of this Court.

Let a copy of this order be communicated to the Registrar (Vigilance) of this Court for appropriate action.

(Anil Kumar Upadhyay, J)

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