

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28495 of 2020

Arising Out of PS. Case No.-347 Year-2016 Thana- BARACHATTI District- Gaya

BINOD PANDEY Son of Shankar Pandey @ Shambhu Pandey @ Shambhu Nath Pandey Resident of Village- Champura, P.S.- Baikunthpur, District- Gopalganj.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Sanjay Kumar Tiwary, Advocate
For the Opposite Party : Mr. Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 11-11-2020 Heard learned counsel for the petitioner as well as learned counsel for the State through video conferencing.

Petitioner seeks bail NDPS Case No. 05/2017 registered for the offence punishable under sections 8, 25 and 29 of the NDPS Act.

66 kilograms of Ganja is said to have been recovered from Bolero vehicle in which the petitioner along with others were travelling. His prayer for bail was lastly rejected by order dated 14.8.2019, passed in Cr.Mis.No. 32297/2019 with observation that the trial court would separate the trial of the petitioner from the absconding accused persons and conclude the trial within further seven months with direction to the SSP, Gaya to ensure production of witnesses during trial.



Learned counsel for the petitioner submits that the trial court has not separated the trial of the petitioner and the same is lingering due to absconding accused persons, though the petitioner is in custody since 6.9.2016, whereas other co-accused have already been enlarged on bail.

From perusal of the impugned order dated 17.6.2020, it appears that till date altogether seven witnesses including the Investigating Officer have been examined.

In the facts of the case, prayer for bail is again refused.

Trial court is directed to separate the case of the petitioner and conclude the trial, preferably within a period of twelve months, failing which the petitioner is at liberty to renew his prayer for bail.

(Prabhat Kumar Singh, J)

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