

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49391 of 2019

Arising Out of PS. Case No.-349 Year-2018 Thana- BARACHATTI District- Gaya

HARI LAL BALAI S/o Ram Lal Balai Resident of Village- Geta Parouli,
P.S.- Bigodnagar, District- Bhilwara (Rajasthan)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate

For the Opposite Party/s : Mr. Abhay Kumar Roy, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

4 26-02-2020 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application for regular bail arises out of **N.D.P.S. Case No. 06/2018 arising out of Barachatti P.S. Case No. 349 of 2018**, disclosing the offences under Sections 18, 20 and 22 of N.D.P.S. Act.

The petitioner had earlier approached this Court by filing Cr. Misc. No. 65999 of 2018 seeking grant of regular bail in connection with Barachatti P.S. Case No. 349 of 2019 registered for the offences punishable under Sections 18, 20 and 22 of the Narcotic Drugs and Psychotropic Substances Act. The said application was rejected by an order dated 03.12.2018 taking note of the bar under Section 37 of the Act.



The petitioner has renewed his prayer for grant of regular bail by making present application.

Learned counsel appearing on behalf of the petitioner has submitted that the bar under Section 37 applies only when commercial quantity of contraband is seized, which is not the allegation in the present case.

Be that as it may, since the petitioner's application was earlier rejected in view of the bar under Section 37 of the Act, this application renewing the earlier prayer cannot be entertained since the same will amount to reviewing the earlier order passed in the criminal case, which is not permissible.

The prayer for grant of regular bail of the petitioner stands rejected.

Learned counsel for the petitioner has submitted that the court below may be directed to expedite conclusion of the trial. It goes without saying. Let the conclusion of the trial be expedited.

(Chakradhari Sharan Singh, J)

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