

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25168 of 2021

Arising Out of PS. Case No.-7 Year-2018 Thana- D.R.I District- Muzaffarpur

Hari Om Giri @ Hari Om Kumar, son of Sri Horil Giri, resident of village and Post- Dhanhar Dihuri, P.S.- Ramgadhua, Distt.- East Champaran, Motihari

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Union of Inida through Directorate of Revenue Intelligence, Regional unit Muzaffarpur Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Neeraj Kumar Alias Sanidh

For the Opposite Party/s : Mr. Umesh Lal Verma

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 29-09-2021 The petitioner, who is in custody since 25.02.2018, has approached this Court to renew his prayer for bail in a case registered for the offences punishable under Sections 20 and 23 of the Narcotic Drugs & Psychotropic Substances Act.

Earlier, the prayer for bail of the petitioner was rejected by this Court vide order dated 17.08.2019 passed in Cr. Misc. No. 31460 of 2019.

As per F.I.R, a truck was intercepted and on search, six packets of *Charas(Smack)* weighing 109.250 Kg were recovered. The petitioner is alleged to be the



Conductor of the truck.

It has been submitted by learned counsel for the petitioner that petitioner has no concern with the alleged recovery of *Charas* or the truck. He was returning after worshiping lord Shiv Pashupatinath, Kathmandu and on his way, he took a lift from the truck driver when the police intercepted the truck and arrested the petitioner. Moreover, the petitioner is in custody since 25.02.2018.

It appears that vide order dated 28.07.2021, a report was called for with regard to the present stage of the trial. The report has been received and it has been kept as Flag-A.

The report of the learned Sessions Judge-cum-Special Judge, Muzaffarpur reflects that charges have been framed against the accused persons and out of four witnesses, two witnesses have been examined.

Considering the fact that recovery of the *Charas* is of commercial quantity and the petitioner was



apprehended sitting inside the truck along with the driver from where, huge quantity of *Charas* has been recovered, this Court is not inclined to grant bail to the petitioner, for the present. Accordingly, the prayer for bail of the petitioner is rejected.

However, since petitioner is in custody since more than three and half years, the Trial Court is directed to expedite the trial and conclude the same within six months from the date of receipt/production of a copy of this order.

(S. Kumar, J)

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