

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36524 of 2021

Arising Out of PS. Case No.-407 Year-2019 Thana- KOTWALI District- Patna

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SUBHASH KUMAR S/O RAMANUJ YADAV R/O VILLAGE-
BHATSARA, P.S. DULHIN BAZAR, DISTRICT PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Tiwary

For the Opposite Party/s : Mr.A.G

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 01-12-2021 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is directed to
remove the defect(s), as pointed out by the office, within a
period of eight weeks.

The petitioner seeks bail in Special case No. 55 of 2019
arising out of Patna Kotwali P.S. Case No. 407 of 2019
registered under Sections 8(C), 21(C)/29 of the N.D.P.S. Act.

Earlier prayer for bail of the petitioner was rejected taking
into account that 655 gms of Heroine was said to have been
recovered.

A report has been called for from the court below.

It has been reported that none of the prosecution witnesses
has been examined till date. It has further been reported that the



trial will be concluded within a period of eight months.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the nature of accusation coupled with the fact that under Section-37 of the N.D.P.S. the petitioner is not entitled for bail, prayer for bail of the petitioner is rejected.

Learned trial court is directed to take all necessary steps to conclude the trial of the petitioner, preferably, within a period of 9 months from the date of receipt/production of copy of the order.

The District Magistrate and the Sr. Superintendent of Police, Patna are directed to ensure the production of witnesses on the date fixed by the trial court so that the trial could be concluded within the stipulated period of nine months.

Let a copy of this order be communicated to the District Magistrate and the Sr. Superintendent of Police, Patna for needful.

(Sudhir Singh, J)

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