

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29695 of 2020

Arising Out of PS. Case No.-54 Year-2018 Thana- Government Official Comp. District- Gaya

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YOGENDRA PASWAN S/O Awadh Paswan @ Awadh Bihari Paswan
Resident of Village Milkey Kothi Masad, Police Station - Udwantnagar,
District - Bhojpur, Bihar Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Giri
For the Opposite Party/s : Mr. Anuj Kumar Shrivastava

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 13-04-2021 Heard learned Counsel for the petitioner and learned

Additional Public Prosecutor for the State, through Video

Conferencing.

The petitioner seeks regular bail in connection with
Excise Case No. 54 of 2018, registered for the offences
punishable under Sections 8/20(b) of the Narcotic Drugs and
Psychotropic Substances Act, 1985.

This is the second attempt on behalf of the petitioner
for grant of regular bail. Earlier, the prayer for regular bail of the
petitioner was rejected by this Court, vide order, dated
27.11.2019, passed in Criminal Misc. No. 55246 of 2019.

The allegation, as per the First Information Report, is
that 68 kgs. of ganja was recovered from a vehicle, in which the
petitioner and one another person were found sitting.

Learned Counsel for the petitioner submits that the



petitioner has renewed his prayer for bail after about one year and the petitioner is in custody since 08.02.2018.

This Court, vide order, dated 22.02.2021, had called for a report from the learned Court below regarding the stage of the case and in pursuance of the said order, a report has been submitted by learned 2nd Additional Sessions Judge -cum- Special Judge, Excise, Gaya, and from perusal of the same, it would be evident that the out of eight chargesheeted witnesses, five have already been examined and three chargesheeted witnesses are yet to be examined and the learned Court below has given the estimated time within which the trial is likely to be concluded is four months..

After having heard learned Counsel for the parties and taking into consideration materials on record and the nature of allegation, I am not inclined to grant regular bail to the petitioner, at this stage.

This application is, accordingly, dismissed.

However, the petitioner may renew his prayer for bail after six months if the trial does not conclude.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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