

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6275 of 2021

Arising Out of PS. Case No.-444 Year-2018 Thana- BARACHATTI District- Gaya

MD. MOBIN S/o Md. Waseem @ Vasim R/o village- Shahbaj Nagar, P.S.-
Mojahidpur, Distt.- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Priyadarshini Sinha
For the Opposite Party/s : Mr. C. Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 07-07-2021 Heard learned counsel for the petitioner and the State
through virtual mode.

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

The petitioner seeks bail in a case for the offence registered
under Sections 18, 20 & 22 of NDPS Act, 1985.

Earlier prayer for bail of the petitioner was rejected vide
Annexure-1 to the present application taking into account that 77 kg.
Ganja was recovered from constructive possession of the petitioner.
Hence, the petitioner was not entitled for bail under Section 37 of the
NDPS Act.

It has been submitted on behalf of the petitioner that charge
was framed in the case as back as in September, 2019 and till date,
not a single prosecution witness has been examined.



A report was called for from the trial court. It has been reported that trial is likely to 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 allegation and the stage of the case, I am not inclined to grant bail to the petitioner. Accordingly, prayer for bail of the petitioner in connection with NDPS Case No. 22 of 2018 arising out of Barachatti P.S. Case No. 444 of 2018 is rejected.

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

The District Magistrate and Sr. Superintendent of Police, Gaya 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 eight months.

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

(Sudhir Singh, J)

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