

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.35833 of 2020**

Arising Out of PS. Case No.-291 Year-2019 Thana- LAKHISARAI District- Lakhisarai

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Nageshwar Jha, male, aged about 72 years, Son of Late Chhotan Jha, Resident of Village - Balgudar, Police Station - Lakhisarai, District- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ramadya Singh, Adv.

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR**

ORAL ORDER

3      05-03-2021                      Heard Mr. Ramadya Singh, learned Advocate for the petitioner and Mr. Ram Priya Sharan Singh, learned APP for the State.

The petitioner seeks bail in connection with Lakhisarai P.S. Case No. 291 of 2019, dated 03.04.2019, instituted for the offences under Sections 8 and 20(b) (ii) & (C) of the Narcotic Drugs and Psychotropic Substances Act, 1985.



5 kgs. of *Ganja* is said to have been recovered from the tea-shop of the petitioner. From his house also, 2 kgs. of *Ganja* is said to have been recovered.

Learned counsel for the petitioner has submitted that the recovery from the house cannot exclusively be saddled upon him as the house is inhabited by many other persons also. Apart from this, it has been submitted that the petitioner is in custody since 03.04.2019.

This Court, on 20.01.2021, had called for a report from the Court below about the stage of the case.

It appears from the report that charges in this case though have already been framed on 23.01.2021, but out of six charge-sheet witnesses, no one has been examined up-till-date.

Regard being had to the nature of accusation against the petitioner, this Court is not inclined to grant bail to him for the present.

The prayer for grant of bail of the petitioner is, accordingly, rejected.

However, the Trial Court is directed to expedite



and conclude the trial preferably within a period of six months from the date of receipt/production of a copy of this order.

If there is no substantial progress in the trial and which delay would not be attributable to the petitioner, he would be at liberty to approach the Trial Court for grant of bail and in that event, the Trial Court would be required to state reasons for non-conclusion of the trial within the aforesaid period.

The application stands disposed off accordingly.

**(Ashutosh Kumar, J)**

Praveen-II/-

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