

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36953 of 2020

Arising Out of PS. Case No.-381 Year-2019 Thana- BARACHATTI District- Gaya

RAJESH YADAV, Son of Tulsi Yadav @ Tulasi Yadav @ Tulasi Prasad Yadav
Resident of Village - Samangarhi, P.S.- Tankuppa, District - Gaya

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar

For the Opposite Party/s : Mr. Kalyan Shankar

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 07-04-2021 Heard learned counsel for the petitioner and the
learned A.P.P. for the State through video conferencing.

The petitioner seeks bail in connection with
N.D.P.S. Case No. 58 of 2019, arising out of Barachatti P.S.
Case No. 381 of 2019, registered under Sections 20 and 22 of
the N.D.P.S. Act, pending in the court of learned Sessions
Judge-cum-Special Judge (N.D.P.S Act), Gaya.

The accusation is of recovery of 25 Kg ganja from
the truck, which was being driven by the petitioner.

Learned counsel appearing on behalf of petitioner
submits that the prayer for bail of the petitioner has been
refused on 06.03.2020 passed in Criminal Miscellaneous No.
78058 of 2019. The petitioner is in custody since 25.08.2019,
but the trial of the petitioner has not been concluded as yet.



The report, as called for, has been received from the court of learned Addl. District & Sessions Judge-III, Gaya through Letter No. 215/2020, dated 22.02.2021, which indicates that after framing of charge, out of eight prosecution witnesses, two witnesses have been examined and the Court is expected that the trial of the petitioner would be concluded within one year.

Having considered the facts and circumstances of the case and quantity of seized ganja from the truck, which was being driven by the petitioner, I am not inclined to reconsider the bail prayer of the petitioner. Accordingly, the prayer of the petitioner for grant of bail is again rejected.

However, the learned Addl. District & Sessions Judge-III, Gaya is directed to take all effective steps to conclude the trial of the petitioner within nine months. If the trial of the petitioner is not concluded within the aforesaid nine months, the petitioner would be at liberty to renew his prayer for bail.

(Rajendra Kumar Mishra, J)

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