

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2953 of 2021

Arising Out of PS. Case No.-27 Year-2017 Thana- MUZAFFARPUR (R.T) District-
Muzaffarpur

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DEEPLAL SAH Son of Late Ram Awtar Sah Resident of Machha, Sirma
Colony, Ward No. 07, P.S.- Motihari, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Madhubala Verma
For the Opposite Party/s : Mr.Ashok Kumar

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 01-03-2021 Heard the learned counsel for the petitioner and Mr.
Ashok Kumar, the learned APP for the State.

The present petition is by way of third attempt at
the behest of the petitioner for grant of bail in connection
Muzaffarpur Rail PS case no. 27 of 2017 under Sections 20/22
of N.D.P.S. Act, inasmuch as the prayer of the petitioner for
grant of bail has stood rejected earlier by this Court vide order
dated 17.10.2017, passed in Cr. Misc. no. 49866 of 2017 and by
an order dated 17.07.2019, passed in Cr. Misc. no. 13451 of
2019.

The allegation is regarding the police having
recovered *ganja* weighing 22 kgs. and 500 gms., apart from
other articles from the petitioner.



The learned counsel for the petitioner has submitted that the trial be expedited, inasmuch as the petitioner has been languishing in custody in this case since 05.03.2017.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having considered the facts and circumstances of the case, this Court finds that vide order dated 17.07.2019, passed in Cr. Misc. no. 13451 of 2019, the learned court of Sessions Judge-cum-Special Judge, Muzaffarpur was directed to complete the trial of Muzaffarpur Rail PS case no. 27 of 2017 positively, within a period of 12 months, however the learned court below has failed to honor the direction of this Court, which is deprecated. I have also gone through the letter of the Sessions Judge-cum-Spl. Judge I/C, Muzaffarpur dated 10.02.2021 in which frivolous and lame excuses have been furnished and no cogent reason has been given for not complying with the directions of the Hon'ble High Court. In such view of the matter, the concerned court is cautioned to be careful in future failing which strict action shall be taken.

Considering the fact that the petitioner has been languishing in custody since 05.03.2017, the learned trial court is granted further six months' time to complete the trial in



question and in case, the trial is not concluded within the afore-said period of six months from today, the petitioner shall be at liberty to renew his prayer for bail. Nonetheless, the concerned court is warned that in case the trial in question is not completed within a period of six months from today, this Court would contemplate taking strict disciplinary action.

The petition stands disposed of on the aforesaid terms.

(Mohit Kumar Shah, J)

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