

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4592 of 2021

Arising Out of PS. Case No.-114 Year-2019 Thana- MADHAURAH District- Saran

Ramchandra Kumar, aged about 28 years, Male, S/o Shyam Lal, R/o village-
Haimirwas, P.S.- Baigarh, Distt.- Jhunjhunu, Rajasthan.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Kundan Kumar Ojha, Advocate
For the State : Mr. Dinesh Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 24-02-2021 Heard Mr. Kundan Kumar Ojha, the learned counsel
for the petitioner and Mr. Dinesh Singh, the learned A.P.P.

The petitioner seeks bail in Marhowrah P.S. Case No.114 of 2019, registered under Section 120(B) of the Indian Penal Code and under Sections 8/20(ii)(c)/29 of the NDPS Act.

Learned counsel for the petitioner submits that prayer for bail of the sole petitioner was earlier rejected vide order dated 19.03.2020, passed in Cr. Misc. No.78095 of 2019, but the trial has not yet been concluded. Mr. Ojha further submits that Arman Ali and Sunil Kumar, the two other accused persons have already been granted bail by different coordinate Benches of this Court vide order passed in Cr. Misc. No.30873 of 2019 and Cr. Misc. No.5961 of 2021 respectively. The case of the petitioner stands on the same footing, but it appears that the petitioner and one Mange Ram @ Mango Ram were apprehended while driving the truck container and 201 Kg of Ganja was recovered from the container.

A report was called for with regard to the stage of trial



of the case. The learned 1st Additional Sessions Judge-cum-Special Judge, N.D.P.S. Act, Saran at Chapra reported that five witnesses have already been examined and only three witnesses including the I.O. are to be examined. Thus, it appears that the trial is at the fag end and, therefore, I am not inclined to enlarge the petitioner on bail.

Accordingly, the prayer for bail of the petitioner is rejected.

The trial court is directed to hold the trial on day to day basis and conclude the same within four months from the date of receipt of this order.

The Superintendent of Police, Saran is directed to ensure the attendance of the remaining three witnesses including the I.O. of the case in the court so that their evidence must be recorded forthwith.

Let a copy of this order be sent to the Superintendent of Police, Saran and the learned trial court for information and needful.

If the Superintendent of Police, Saran fails to produce the witnesses in court for their evidence, the trial court is further directed to report this matter to this Court for necessary action.

(Prabhat Kumar Jha, J)

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