

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.986 of 2020

Arising Out of PS. Case No.-203 Year-2017 Thana- DAGARUA District- Purnia

SANTOSH KUMAR Son of Satya Narayan @ Satya Narayan Chauhan
Resident of Village - Katihar Tulsi College, P.S.- Katihar Muffasil, Distt.-
Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Mishra

For the Opposite Party/s : Mr.Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

6 27-10-2021 Heard learned counsel for the parties.

A report was called for by the trial Court vide order dated 15.09.2021, in compliance of which learned District & Sessions Judge cum Spl. Judge, NDPS Act, Purnea, has sent his report, which reads as follows:-

“ In compliance of Hon’ble Court’s order dated 15.09.2021 passed in Cr. Misc. No. 986 of 2020, I have to humbly submit that the case record of Special Case No. 22 of 2017 (NDPS) arising out of Dagarua P.S. Case No. 203/2017 is pending for final argument.

The instant case is on final argument and next date is fixed in the above referred case on 29.09.2021. In the meantime, the learned defence counsel has filed a petition on 13.09.2021 stating therein that one of the accused Pramod Kumar Sah in this case, who is on bail has been arrested and remanded in connection with Special (NDPS Act) Case No. 21 of 2021 within the Madhepura Judgeship and prayed to issue P/W against the said accused. In the light of aforesaid facts and prayer of the learned defence counsel, production warrant has been issued against him with a direction to the Jail Superintendent, Madhepura to produce the said accused in the

instant case positively on 29.09.2021 through Registered Post as well as by email.

The trial of above mentioned case is likely to be concluded within 6-8 weeks , after completion of appearance of accused in this case.

I therefore, request you to kindly place this report before the Hon'ble Court for kind consideration for reference in Criminal Miscellaneous No. 986 of 2020."

After perusing the report of the court below, I am not inclined to enlarge the petitioner on bail at this stage, hence, the prayer for bail of the petitioner is hereby, rejected.

However, the trial court is directed to expedite the trial and conclude the same within a period of 1 month from the date of production/receipt of a copy of the order passed by this Court.

(S. Kumar, J)

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