

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 11205 of 2022

Arising Out of PS. Case No.-233 Year-2020 Thana- BRAHMPUR District- Buxar

RAMESH SINGH S/o Late Jayanit Singh R/o village- Arak, P.S.- Krishna
Brhampur, District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance:

For the Petitioner/s	:	Mr Vikramdeo Singh, Mr Shankar Kumar, Advocates
For the Opposite Party/s :		Ms Pushpa Sinha, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 20-04-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor (for brevity, *APP*) appearing for
the State of Bihar.

The petitioner seeks bail in Brahmpur Chakki Police
Station Case No 233 of 2020 dated 14.05.2020 instituted for the
offence punishable under Section 20 (B) (ii) (C) of Narcotic
Drugs and Psychotropic Substances Act (for brevity, *NDPS Act*).

It is the third bail application, filed on behalf of the
petitioner. The first was rejected on 02.03.2021 in Cr Misc No
37880 of 2020. Thereafter, the petitioner had approached this
Court for grant of bail without renewing the same before the



learned Additional Sessions Judge -cum- Special Judge, Buxar. Accordingly, the application was disposed of with liberty to the petitioner to move the Court below, vide order dated 22.12.2021 passed in Cr Misc No 69719 of 2021.

The learned counsel for the petitioner submits that the trial has not concluded in spite of the fact that only one official witness has remained to be examined at the trial. Petitioner has remained in custody since 15.05.2020.

Learned APP has submitted that since the trial is on the verge of conclusion, instead of grant of bail to the petitioner having regard to the allegation of recovery of commercial quantity of *Ganja*, this Court may direct the Court concerned to conclude the trial expeditiously.

Having considered the rival submissions and with reference to the bar contained in Section 37 of the NDPS Act, keeping in the background the quantum of recovery being commercial quantity, this Court is of the view that interest of justice would serve by directing the Court concerned to conclude the trial expeditiously, without any unnecessary adjournment or undue delay.

Prayer for bail is again rejected.

Learned counsel for the petitioner is expected to



honour his undertaking given in the instant proceedings today
for depositing requisite Court fee and removing the defect (s), as
pointed out, when called upon to do so.

(Madhuresh Prasad, J)

M.E.H./-

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