

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26279 of 2021

Arising Out of PS. Case No.-129 Year-2017 Thana- RAXAUL District- East Champaran

Santosh Kumar, Son of Brahmdev Raut, Resident of Village- Sorpania, P.S.-
Pachpakri, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kundan Rathore, Advocate

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, APP

CORAM: HONOURABLE MR. JUSTICE A. M. BADAR
ORAL ORDER

7 11-02-2022 The applicant is an accused in N.D.P.S. Case No. 46 of 2017 arising out of Crime No. 129 of 2017 registered with Raxaul Police Station for the offences punishable under Sections 20, 22, 23 and 24 N.D.P.S. Act, by this application is seeking his release on bail during pendency of the trial.

Perusal of the report submitted by the Additional Sessions Judge -II-cum-Special Judge (NDPS), East Champaran, Motihari vide his communication dated 25.01.2022 shows that now only one seizure list witness Ajay Kumar Gupta has remained to be examined apart from the receipt of the report of the Forensic Science Laboratory. It is thus clear that the trial is on the verge of completion. The offence alleged is dated 07.05.2017. It is strange as to why the prosecution could not file the report of the Forensic Science Laboratory up till now.



Expeditious trial is the right of the accused. The applicant herein is languishing in jail from 08.05.2017.

In this view of the matter, the application for bail to the applicant stands rejected.

The learned trial court is directed to keep the trial for day today hearing in the light of mandate of provisions of Section 309 of the Cr.P.C. and to finish it of within a period of three months from today.

Compliance report of this order be submitted by the learned trial Court to this Court.

The applicant to remove all office objections forthwith and the Registry to issue the certified copy of this order only after removal of office objections by the applicant/accused.

(A. M. Badar, J)

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