

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16298 of 2022

Arising Out of PS. Case No.-162 Year-2017 Thana- RAXAUL District- East Champaran

Raushan Raut S/o Bharat Raut R/o village- Bhisha Ward No. 18, P.S.-
Birganj, Distt.- Parsa (Nepal) Petitioner

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr.Nitu Kumari, Advocate

For the Opposite Party/s : Mr.Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 28-07-2022 Heard learned counsel for the parties.

The petitioner is in jail since last five years and one month in connection with Raxaul P.S. Case No. 162 of 2017 arising out of NDPS Case No. 50 of 2017 registered under Sections 20, 22, 23 and 24 of the N.D.P.S. Act.

Earlier a co-ordinate bench of this Court in Cr. Misc. No. 67644 of 2019 vide order dated 19.02.2020 while rejecting the bail application of the petitioner had directed the trial Court to conclude the trial within a period of six months.

In this case, a report was called for by this Court on 13.7.2022 which has since been received.

As per letter No. 588 dated 18.7.2022 sent by the 1st Additional District & Sessions Judge-cum-Special Judge, N.D.P.S. Act East Champaran, Motihari, it appears that out of 06 (six) charge-sheet witnesses including the informant, 05 (five) prosecution witnesses (including the informant) as also the



Investigating Officer have already been examined and one prosecution witness is yet to be examined. Summons and warrant of arrest have already been issued.

It has further been stated that trial is likely to be concluded within three months if the prosecution cooperate in the matter.

Taking into account the aforesaid statement of the learned court below, the bail application for the present is rejected.

The trial court is directed to conclude the trial within a period of three months as committed by it vide letter no. 588 dated 18.07.2022 and submit a report to this effect.

Let a copy of the order be sent to the Superintendent of Police, East Champaran, Motihari to take appropriate steps so that the prosecution witness in the present case is presented before the Court, if still not been examined, so that the trial may be concluded within the aforesaid time.

(Rajiv Roy, J)

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