

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18627 of 2022

Arising Out of PS. Case No.-73 Year-2019 Thana- CHHAURADANO District- East
Champaran

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Sunardeo Mahto @ Sunardeo, aged about 53 years, Gender-Male, Son of Late
Guljar Mahto, Resident of Village - Nurulha Dih, Bhatwalia, P.S. -
Sangrampur, Dist.- East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Shri Prakash Tiwari, Advocate
For the Opposite Party : Mr. Sanjay Kumar Tiwary, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 24-08-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Learned counsel for the petitioner is directed to
remove the defect (s), as pointed out by the office, within a
period of four weeks.

Earlier bail applications of the petitioner were rejected
vide Cr. Misc. No. 47852 of 2019 under order dated 27.09.2019
and Cr. Misc. No. 29860 of 2020 under order dated 03.02.2021,
annexed as Annexures-1 and 1/1 to the present application
taking into account that 90 kgs. Ganja is recovered from
constructive possession of the petitioner and other co-accused,
namely, Munna Mahto and the petitioner is not entitled for grant
of bail under Section 37 of the N.D.P.S. Act.



This is third attempt on behalf of the petitioner for grant of bail.

A report was called for from the court below regarding the present stage of the case. It has been reported that out of seven prosecution witnesses, six prosecution witnesses have already been examined and the trial is likely to be concluded within a period of six months.

Considering the nature of accusation and the stage of the case, I am not inclined to grant bail to the petitioner. The same is rejected in N.D.P.S. Case No. 31 of 2019, arising out of Chhauradano (Mahuawa) P.S. Case No. 73 of 2019), pending in the court of learned Sessions Judge/Special Judge, East Champaran, Motihari.

Considering the fact that the petitioner is in custody since 13.03.2019, the learned court below is directed to take all necessary steps to conclude the trial preferably within a period of six months from the date of receipt/production of a copy of this order.

The District Magistrate and the Superintendent of Police, East Champaran at Motihari, are also directed to ensure that the remaining prosecution witness is produced on the date fixed in the court below so that the trial could be concluded



within the stipulated period.

Let a copy of this order be communicated to the District Magistrate and the Superintendent of Police, East Champaran at Motihari.

(Sudhir Singh, J)

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