

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21077 of 2021**

Arising Out of PS. Case No.-633 Year-2020 Thana- HAJIPUR SADAR District- Vaishali

Ravi Kumar S/O Shyam Narayan Chaudhary R/o village- Daulatpur, P.S.-
Hajipur, Sadar, Distt.- Vaishali

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha, Adv.

For the Opposite Party/s : Mr. A.G., APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

13 28-11-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned senior counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Hajipur Sadar P.S. Case No. 633 of 2020 lodged under Sections
8/20(b)(ii)(c)/ 25/ 29 of the N.D.P.S. Act.

Learned senior counsel for the petitioner submits that
vide order dated 24.02.2022, this Hon'ble Court has pleased to
release the present petitioner on provisional bail for getting
treatment at any Super Specialist Mental Hospital in the country
on his own cost for better treatment and since then, his
provisional bail is continued. Learned counsel for the petitioner
submits that treatment of the present petitioner is still going on.
Learned counsel seeks permission to continue his treatment and
requests to call for report from the doctor and under his

treatment, the petitioner is taking medicines and care, etc.

Learned counsel for the State opposes prayer and submits that in the Code of Criminal Procedure 1973, there is separate Chapter 25 especially designed dealing with the provisions as to accused persons of unsound mind. In this background, I am not interested to continue this case to be pending for future and hereby directing the Trial Court to take all steps in accordance with law mentioned in Chapter 25 of Cr.P.C. relating to a person belongs to unsound mind. The Trial Court upon calling the report from the recognized Government Mental Hospital, in Bihar situated at Kailwar, Bimhans(District-Ara) is free to take all necessary legal steps either to continue the provisional bail or to withdraw the same. Whatever, the observation made in this case on any early occasion shall not be a barrier in passing order for the Trial Court. He shall get the petitioner check from the recognized mental hospital of Bihar and then, pass appropriate order in accordance with law. In the meantime, the provisional bail granted to the petitioner shall continue. The Trial Court shall decide this case within 90 days from the date of communication of the said order.

With this observation, this application stands disposed off.

(Dr. Anshuman, J.)

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