

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38265 of 2021**

**In
CRIMINAL MISCELLANEOUS No.39838 of 2019**
Arising Out of PS. Case No.-23 Year-2017 Thana- D.R.I District- Patna

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SRI MRITUNJAY RAM Son of Sri Parsuram Ram Resident of Village and
P.O.- Barka Rajpur Kala, P.S.- Simri, Distt.- Buxar

... .. Petitioner/s

Versus

The Union of India through NRI Patna Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :Ms. Mira Kumari, Adv.

For the Opposite Party/s : Mr. Alok Ranjan, J.C. to Manoj Kumar Singh, CGC

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**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

6 24-02-2022

Heard learned counsel for the parties.

The petitioner has renewed his prayer for bail in a case registered under sections 20, 23, 25 and 29 of the N.D.P.S. Act.

As per the prosecution case, the allegation against the petitioner is of huge quantity of ganja having been recovered from the truck of which the petitioner was a driver.

It is submitted by learned counsel for the petitioner that the earlier application for bail of the petitioner was rejected vide order dated 26.9.2019 directing the learned Court below to conclude the trial on day to day basis. It was further observed that if the trial is not concluded within the aforesaid period due to laches on part of the prosecution, necessary order would be passed in the matter.



It is submitted by learned counsel for the petitioner that as per instructions received the examination of the prosecution witnesses was closed on 16.12.2021 and the case was fixed for statement of the accused under section 313 Cr.P.C., however, a petition for amendment has been filed by the learned APP as such it is submitted that there is no chance of the trial concluding in the near future because of the action of the prosecution. The petitioner has remained in custody since 1.9.2017 ie for four years and five months.

It is submitted by learned counsel for the Union of India that the trial is at its fag end and the same will be concluded within three months.

Having heard learned counsel for the parties and taking into consideration the allegation of recovery of huge quantity of *ganja* ie 506.4 kgs valued at Rs. 25.32 lacs and the trial coming close to its end, this Court is not inclined to enlarge the petitioner on bail and the application is rejected.

Learned trial Court is directed to conclude the trial within a period of three months from today. In case the trial is not concluded within the aforesaid period, the petitioner will be at liberty to move for bail in the learned Court below.

(Partha Sarthy, J)

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