

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53337 of 2021

Arising Out of PS. Case No.-15 Year-2018 Thana- BACHHHWARA District- Begusarai

SUKESH KUMAR S/o Sagar Singh Resident of Village - Sherpur, P.s. -
Maranchi, District - Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bindeswari Singh, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 07-01-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

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

The petitioner seeks bail in connection with Bachhawra P.S. Case No. 15 of 2018 registered for the offence under Sections 8, 20(C) and 25 of the N.D.P.S. Act.

The case relates to recovery of a huge quantity of 1126 Kg. of Ganja.

The record reveals that earlier the prayer for bail of this petitioner has been rejected vide order dated 09.04.2019 passed in Cr. Misc. No. 41138 of 2018 with a



direction to the learned trial court to expedite and conclude the trial within nine months from the date of the said order but the petitioner taking note of the stage of the trial, renewed his prayer for bail which has also been refused vide order 27.01.2021 passed in Cr. Misc. No. 18866 of 2020 by a co-ordinate Bench of this Court.

Now again, the petitioner is before this Court with his prayer for grant of bail.

While entertaining the third bail petition, a co-ordinate Bench of this Court with a view to aware about the stage of the trial has called for a report regarding the present stage of the trial vide order dated 27.10.2021 which has been received and the same is kept at Flag-A.

The report dated 15.11.2020 received from the Additional District and Sessions Judge-I -cum- Special Judge, N.D.P.S. Act, Begusarai clearly suggests that charges under Section 20(b)(ii)(c) of the N.D.P.S. Act have been framed on 29.01.2019 against the petitioner along with two others and out of six charge-sheet witnesses, four are said to have been examined and the case is fixed for further examination of witnesses.

In view of the report, as discussed above, and



considering the quantity of the recovery, this Court is not inclined to enlarge the petitioner on bail at this stage. Accordingly, the prayer for grant of bail to the petitioner is rejected.

Since out of six charge-sheet witnesses, two are yet to be examined, the learned trial court is directed to expedite the trial and take positive steps to conclude it taking note of the earlier orders passed by this Court in this regard.

(Rajesh Kumar Verma, J)

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