

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55292 of 2021

Arising Out of PS. Case No.-11 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Gaya

Shravan Kumar @ Sharvan Kumar Son Of Kheraj Ram Resident Of Village -
Ishwarnagar, Saran Nagar, Sanrau, Police Station - Lohawat, District -
Jodhpur (Rajasthan). Petitioner/s

Versus

1. The State of Bihar
2. The Union of India through the Narcotics Control Bureau.
... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Manish Kumar No.2- Advocate Mr. Gajendra Kumar Singh- Advocate
For the State	:	Mr. Umeshanand Pandit- A.P.P.
For Union of India	:	Ms. Punam Kumari Singh-CGC

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 08-03-2022 Heard learned counsel for the petitioner, learned
Central Government counsel and learned APP for the State.

The petitioner seeks bail in connection with N.D.P.S.
Case No.03 of 2020/ 40 of 2019 arising out of N.C.B. Case
No.NCB/PZU/V/11/2019, instituted for the offences under
Sections 8, 15(c), 25, 27A and 29 of the N.D.P.S. Act.

The learned counsel for the petitioner submits that
petitioner is in custody since 01.05.2019, he is a person with
clean antecedent and charges have been framed, but till date, not
a single prosecution witness has been examined, despite the fact
that all the witnesses are officials.

The learned counsel thus submits that keeping behind
bars to petitioner for nearly three years in absence of trial,
amounts to deprivation of right to life of a citizen without fair



trial.

The learned Central Government Counsel Smt. Punam Kumari Singh submits that though the charges have been framed, but since the Court is not available, as such, the trial could not commence, but she submits that she will communicate to the authority that they would ensure that the trial is completed expeditiously.

At this stage, the learned counsel for the petitioner seeks permission to withdraw the present bail application with a direction to the informant to ensure that all the official witnesses appear as and when required by the Court and the learned Court below will make endeavour to expedite the trial and conclude the same preferably within a period of nine months from the date of receipt/ production of a copy of this order.

Permission is accorded.

Accordingly, the instant petition is dismissed as withdrawn with a direction to the learned Court below to ensure that the trial is concluded expeditiously, preferably within a period of 09 months from the date of receipt of the order and the prosecution will ensure that the witnesses are produced as and when required by the learned Court below, failing which it will be presumed that the prosecution intends to keep the petitioner



behind bars without fair and speedy trial.

(Satyavrat Verma, J)

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