

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61639 of 2021

Arising Out of PS. Case No.-27 Year-2017 Thana- KALYANPUR District- East Champaran

MUKESH KUMAR DAS Son of Monohar Das Resident of Village-
Govindpur, P.S.- Kalyanpur, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinay Kumar Mishra

For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 02-02-2022 Due to the third wave of COVID-19 Pandemic, the
matter is being taken up by way of virtual Court proceeding.

The matter has been listed under the heading “For Orders”
under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioner and the State
through virtual mode.

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

The petitioner seeks bail in Kalyanpur P.S. Case No. 27 of
2017 registered under Section-414 of the Indian Penal Code and
Sections- 20/22 and 23 of the N.D.P.S. Act.

Earlier prayer for bail of the petitioner was rejected taking into
account that 49 kgs. of Ganja was recovered in this case and under
the provision of Section-37 of N.D.P.S. Act, the petitioner was not



entitled for grant of bail.

A report was called for from the trial court.

It has been reported that out of 7 prosecution witnesses, three 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. Accordingly, prayer for bail of the petitioner is rejected.

Learned trial court is directed to take all necessary steps to conclude the trial of the petitioner preferably within a period of six months from the date of receipt/production of copy of this order.

The District Magistrate and the Superintendent of Police, Motihari, East Champaran are directed to ensure the production of witnesses on the date fixed by the trial court so that the trial could be concluded within the stipulated period of six months.

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

(Sudhir Singh, J)

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