

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18860 of 2023

Arising Out of PS. Case No.-222 Year-2020 Thana- DURGAWATI District- Kaimur (Bhabua)

Dukhanti Sah @ Rampati Sah @ Rampati Gupta Son of Late Guput Sah R/o
Ward no. 2, Bhabhua P.S- Bhabhua Dist- Kaimur at Bhabhua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Y.C. Verma, Senior Advocate

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 02-08-2023 Heard Mr. Y.C. Verma, learned senior counsel for the

petitioner and learned Additional Public Prosecutor for the

State.

2. Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

3. Petitioner seeks bail who is in custody since
18.09.2020 in connection with Durgawati P.S. Case No. 222 of
2020, F.I.R. dated 23.08.2020 for the offences punishable under
Sections 8, 20(b)(ii)(c), 22 and 27A of the NDPS Act.

4. Earlier the bail application of the petitioner was
rejected vide order dated 25.01.2022 passed in Cr. Misc. No.
25928 of 2021. Petitioner has again approached this Hon'ble
Court in Cr. Misc. No. 333 of 2023 which was withdrawn with



liberty to approach the learned Trial Court in compliance of order dated 04.01.2023. Thereafter, the petitioner has again approach this Hon'ble Court for grant of bail.

5. Vide order dated 12.04.2023 a report was called with regard to the present stage of trial. Report of the learned Trial Court dated 18.04.2023 reveals that out of 13 charge sheet witnesses, 2 witnesses have already been examined and the case is pending for the examination of the rest of the prosecution witnesses.

6. Learned counsel for the petitioner submits that in view of the report of the learned Trial Court, the trial is not likely to be concluded in the near future and the petitioner is in custody since 18.09.2020.

7. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that altogether 390 kg of Ganja has been recovered and the recovered contraband is approximately 20 times of the commercial quantity and as per the report of the learned Trial Court, the trial is going on.

8. Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail in connection with Durgawati P.S. Case No. 222 of 2020 pending



in the court of learned Additional District & Sessions Judge-I
cum Special Judge, Kaimur at Bhabhua.

9. Prayer is refused.

10. However, the learned Trial Court is directed to
expedite and conclude the trial within a period of 9 months and
if the trial is not concluded within the aforesaid period, then the
petitioner will be at liberty to move a fresh application in
accordance with law.

(Rajesh Kumar Verma, J)

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