

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20888 of 2023

Arising Out of PS. Case No.-306 Year-2021 Thana- DAUDNAGAR District- Aurangabad

1. Mukesh Kumar @ Tuntun Sharma, S/O Late Awadesh Sharma @ Late Awdhesh Sharma Resident Of Village- Parasi, P.S- Upahara, District- Aurangabad At Present Resident Of Village- Makhdumpur, P.S- Rafiganj, District- Aurangabad
2. Bittu Kumar Sharma, S/O Late Abhay Sharma R/O Village- Parasi, P.S- Upahara, Distt.- Aurangabad.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanchay Srivastava
For the Opposite Party/s : Mr. Anuj Kumar Shrivastava

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 03-05-2023 Heard learned counsel for the petitioners and learned
APP for the State.

This is the third attempt of the petitioners to seek bail as earlier their bail application was rejected by 24.02.2022 in Cr. Misc. No.56661 of 2021 and thereafter, by order dated 12.10.2022 in Cr. Misc. No.54257 of 2022.

The learned counsel for the petitioners next submits that the charges have been framed on 08.06.2022, but none of the witnesses have been examined till date, though there are only five charge-sheet witnesses.

The learned counsel for the petitioners next submits that no doubt, allegation is of recovery of 298 kilograms of



Ganja from a truck, but then the petitioners are neither the owner, nor the driver of the vehicle and during the time of COVID, they had taken lift and thus, came to be arrested when the truck was checked by the police recovering Ganja.

The learned Additional P. P. opposes the bail application and submits that petitioners were arrested from the spot and the recovery is of commercial quantity.

Considering the submission made by the learned Additional P. P., the Court is not inclined to release the petitioners on bail.

Accordingly, their prayer for bail stand rejected.

However, the learned trial Court is directed to expedite the trial and to complete the same, preferably within a period of one year from the date of receipt/production of a copy of this order. In the event, if the trial is not concluded within a period of one year as aforesaid, the petitioners would be at liberty to renew their prayer for bail for no fault of the petitioners.

(Satyavrat Verma, J)

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