

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28560 of 2023

Arising Out of PS. Case No.-15 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Aurangabad

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SHAILESH KHARWAR Son of Umashankar Kharwar Resident of village -
Badki Kothiya, P.S.- Industrial (Buxar), District - Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yogesh Chandra Verma, Sr. Adv.

Ms. Priyanka Singh, Adv.

For the Opposite Party/s : Mr. Radhika Raman, C.G.C.

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

- 4 19-07-2023 1. Heard Mr. Yogesh Chandra Verma, learned Senior
counsel for the petitioner and Mr. Radhika Raman, learned Central
Government Counsel and learned Additional Public Prosecutor for
the State.
2. Petitioner seeks bail, who is in custody since 06.03.2021
in connection with N.C.B. Case No. 15/2020, F.I.R. dated
15.11.2020, for the offences punishable under Sections 8(c), 20(b)(II)
(c), 25 and 29 of N.D.P.S. Act.
3. According to prosecution case, total 696.750 Kg of
Ganja has been recovered from the cabin of the truck.
4. Earlier the bail petition of the petitioner was rejected
vide order dated 19.05.2022 in Cr. Misc. No. 46250/2021. The
present bail petition has been filed on the ground that trial is not
initiated and the petitioner is in custody since long.
5. Vide order dated 10.05.2023 a report was called for



from the learned Trial Court. Report dated 17.05.2023 of the learned Trial Court reveals that out of 7 charge sheeted witnesses, 2 prosecution witnesses have already been examined and case is pending for 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 near future and the petitioner is in custody since 06.03.2021.

7. Learned counsel for the Central Government and learned Additional Public Prosecutor for the State on the other hand vehemently opposed the prayer for bail of the petitioner.

8. Considering the aforesaid facts and report of the learned trial court that trial has been started and two witnesses have been examined, I am not inclined to enlarge the petitioner on bail in connection with N.C.B. Case No.15/2020, pending in the court of learned 1st Additional District and Sessions Judge (SC/ST), Aurangabad.

9. Prayer is refused.

10. However, the learned Trial Court is directed to expedite the trial and conclude the same at the earliest.

(Rajesh Kumar Verma, J)

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