

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49612 of 2022

Arising Out of PS. Case No.-317 Year-2020 Thana- MAIRWAN District- Siwan

Amir Khurshid, S/o Khurshid Ahmad, Resident of Village- Marakan, P.S.-
Hussainganj, District- Siwan. Petitioner

Versus

1. The State of Bihar
2. The Union of India

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr. Nishant Kumar Jha, Advocate
For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 25-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner in the present case has renewed his prayer for regular bail in connection with Mairwa P.S. Case No. 317 of 2020 registered for the offences punishable under Sections 307, 353, 34 of the Indian Penal Code and Section 20(b)(ii)(c), 23(C), 39 of the Narcotic Drugs and Psychotropic Substances Act. He has got no criminal antecedent. He is in custody since 12.10.2020.

3. Earlier, his prayer for bail was rejected vide order dated 05.08.2021 passed in Cr. Misc. No. 21013 of 2021. The petitioner was arrested from the vehicle in question from which 132 kg and 80 gram of ganja had been recovered. Noticing the bar under Section 37(b) of the Narcotic Drugs and Psychotropic Substances Act, this Court has rejected the prayer for bail.



4. Learned counsel for the petitioner submits that the driver of the vehicle has been granted privilege of bail by a learned co-ordinate Bench of this Court vide Cr. Misc. No. 929 of 2022, however, from perusal of the order of the learned co-ordinate Bench passed in the said case, it appears that in the said case it was submitted that the name of the said petitioner had transpired in the statement of the driver of the vehicle.

5. This Court, therefore, finds that the statement of learned counsel to the effect that driver has been granted bail is not correct because in Cr. Misc. No. 929 of 2022, the submission was something else.

6. This Court has noticed the report received from learned trial court from which it appears that out of seven witnesses, four have already been examined and cross-examined and the trial is likely to be concluded within six months.

7. For the aforesaid reasons, this Court is not inclined to release the petitioner on bail at this stage.

8. Let the learned trial court conclude the trial within the given time by keeping the records on day-to-day basis.

(Rajeev Ranjan Prasad, J)

lekhi/-

U		T	
---	--	---	--

