

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65476 of 2022

Arising Out of PS. Case No.-186 Year-2017 Thana- BARAUNI District- Begusarai

PRAMOD KUMAR @ PRAMOD ROY @ PRAMOD RAI S/o Late
Devendra Prasad @ Devi Rai @ Devi Roy R/o Village- Sarif Ganj, P.S.-
Malsalami, Distt- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Pushpendra Kumar Singh, Advocate
For the Opposite Party : Mr. Shantanu Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

- 4 15-03-2023 Heard learned counsel for the petitioner and the State.
- Show causes filed on behalf of the District Magistrate
and the Superintendent of Police, Begusarai are accepted.
- The petitioner seeks bail in N.D.P.S. Case No. 12(A)
of 2017 arising out of Barauni (Zeromile) P.S. Case No. 186 of
2017 registered for the offence under Section-20/22 of the
Narcotic Drugs and Psychotropic Act, 1985 (hereinafter referred
to as N.D.P.S. Act).
- Earlier prayer for bail of the petitioner was rejected
taking into account that 583 kg. of Ganja is said to have been
recovered and in the light of provision of section 37 of the
NDPS Act, the petitioner was not entitled for bail.
- A report was called for from the trial court.



It has been reported that out of seven prosecution witnesses, three prosecution witnesses have already been examined. Thereafter, the District Magistrate and the Superintendent of Police, Begusarai were directed to file show causes stating as to within what period the remaining witnesses will be produced before the trial court.

In the show causes filed by the District Magistrate and the Superintendent of Police, Begusarai, it has been stated that the witnesses will be produced on the date fixed by the trial court. There will be no laches on the part of the prosecution. Counsel for the state has further submitted that out of remaining four prosecution witnesses, two prosecution witnesses have already been examined and the remaining two prosecution witnesses will be examined on 21-03-2023.

Considering the nature of accusation and stage of the case, I am not inclined to grant bail to the petitioner. Accordingly, prayer for bail of the petitioner is rejected.

The District Magistrate and the Superintendent of Police, Begusarai are directed to ensure that the remaining prosecution witnesses are produced on the date fixed so that the trial could be disposed of at the earliest.

Let a copy of this order be communicated to the



District Magistrate and the Superintendent of Police, Begusarai
for needful.

(Sudhir Singh, J)

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