

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70420 of 2022

Arising Out of PS. Case No.-97 Year-2021 Thana- CHAINPUR District- Kaimur (Bhabua)

GUPUT YADAV @ RAMESH YADAV S/O RAM SEWAK YADAV
Resident of village- Dhumardev, P.S.- Chainpur, District- Kaimur at Bhabua.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikramdeo Singh, Advocate
Mr. Tribhuwan Narayan, Advocate
For the Opposite Party/s : Mr. Mithlesh Kumar Khare, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 22-02-2023 Heard learned counsel for the parties.

The petitioner has renewed his prayer for grant of regular bail in a case registered under sections 8(c), 20(B)(ii) (c), 27(A) and 29 of the NDPS Act and sections 25(1-B)(a) and 26 of the Arms Act.

As per the prosecution case, 59 kgs of ganja, arms and ammunitions were recovered from the house of the petitioner.

It is submitted by learned counsel for the petitioner that the earlier application for bail of the petitioner was rejected vide order dated 9.5.2022 (Annexure-1) passed in Cr. Misc. no. 54403 of 2021 directing the learned trial Court to expedite the trial. The petitioner has remained in custody since 25.7.2021 and undertakes to cooperate in the trial.



The application for bail is opposed by learned A.P.P. for the State.

A report was called for from the learned trial Court. As per the report received contained in letter dated 10.1.2023 of the Additional District and Sessions Judge-III, Sessions Court, Kaimur at Bhabua, six witnesses have been examined on behalf of the prosecution and only the Investigating Officer remains to be examined for which a letter has been sent to the concerned Investigating Officer through the Superintendent of Police, Kaimur.

Having heard learned counsel for the parties and taking into consideration the recovery of 59 kgs of ganja together with arms and ammunitions from the house of the petitioner together with the progress in the trial in the learned trial Court, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

In view of the contents of the report of the learned trial Court as stated herein above, if not already examined, the Superintendent of Police, Kaimur is directed to ensure the presence of the Investigating Officer of Chainpur P.S. Case no. 97 of 2021 to be examined as a witness in the NDPS Case no. 15 of 2021 on the next date fixed in the trial.



Let a copy of this order be communicated to the
Superintendent of Police, Kaimur for its due compliance.

(Partha Sarthy, J)

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