

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74900 of 2022

Arising Out of PS. Case No.-62 Year-2021 Thana- MADHUBAN District- East Champaran

Sachin Kumar Singh @ Sonu, Son of Mr. Kamod Kumar Singh, R/v- Delho,
P.S.- Madhuban, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aditya Nath Jha, Advocate

For the Opposite Party/s : Mrs. Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

4 08-02-2023 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, within a period of four weeks from today.

Heard Mr. Aditya Nath Jha, learned counsel for the petitioner and learned APP for the State.

This is the second attempt on behalf of the petitioner for grant of regular bail, who is in custody in connection with Madhuban P.S. Case No.62 of 2021, registered for the offences punishable under Sections 399, 402, 414 of the Indian Penal Code, Sections 25(1-b)a, 26, 35 of the Arms Act and Sections 20 and 22 of the Narcotic Drugs and Psychotropic Substances Act (hereinafter referred to as 'NDPS Act').

Earlier the prayer for bail of the petitioner was rejected vide order dated 07.04.2022 passed in Cr. Misc. No.



57965 of 2021 after taking into consideration that from the possession of the petitioner 1.080 Kg *Charas*, apart from one country made pistol and cash have been recovered.

Learned counsel appearing on behalf of the petitioner submits that though the charges have been framed on 23.04.2022, but till date not even a single witness has been examined and from the record it appears that the court has not received the report from the Forensic Science Laboratory as to whether the seized substance is *Charas* or not. He next submits that the petitioner is a student of B.A. History (Honours) had been pursuing his study, however, on account of implication in the present case he is in custody since 06.03.2021.

On the other hand, learned APP for the State opposes the bail application and submits that earlier the prayer for bail of the petitioner was already rejected on merit and there is no further ground for renewal of his prayer.

On 04.01.2023 present status report was called for from the learned trial court and it appears that the summons have been issued against the prosecution witnesses, but no prosecution witness has been examined up till now.

Having considered the materials available on record, this Court does not find any ground to consider the case of



the petitioner afresh. However, considering the fact that the charges have been framed way back on 23.04.2022, but till date not a single witness has been examined, this Court directs the learned trial court to take all endeavour to conclude the trial as early as possible, preferably within a period of six months from the date of receipt of this order, failing which the petitioner is at liberty to renew his prayer for bail.

Accordingly, the present application stands dismissed with the observation aforesaid.

(Harish Kumar, J)

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