

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8683 of 2024

Arising Out of PS. Case No.-102 Year-2020 Thana- MANIYARI District- Muzaffarpur

Rajnish Kumar @ Raja S/o Birendra Kishore Singh @ Tantan Singh R/o
Village - Balra Kishun, P.S. - Maniyari, Dist. - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Niranjan Parihar, Advocate

For the Opposite Party/s : Mr. Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 23-02-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner has renewed his prayer for grant of
regular bail in connection with N.D.P.S. Case no. 35 of 2020
arising out of Maniyari P.S. Case no. 102 of 2020 registered
under section 414 of the Indian Penal Code and sections 8, 20
and 22 of the N.D.P.S. Act.

3. As per the prosecution case, 850 grams of charas
like substance was recovered from the possession of the
petitioner.

4. Learned counsel for the petitioner submits that the
earlier prayer for bail of the petitioner was rejected vide order
dated 10.8.2022 passed in Cr. Misc. no. 33863 of 2022 and
order dated 10.5.2023 passed in Cr. Misc. no. 18651 of 2023.



Learned counsel for the petitioner submits that inspite of the direction of this Court to conclude the trial within a period of six months more than nine months have passed, however the trial has still not concluded and even the evidence of prosecution has not been closed. There being no chance of the trial concluding in the near future, the petitioner undertakes to cooperate in the trial on his release on bail.

5. The application for bail is opposed by learned APP for the State.

6. A report was called for from the learned trial Court. As per the report received contained in letter dated 7.2.2024, one witness i.e. the Investigating Officer of the case remains to be examined in the trial.

7. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R of recovery of 850 grams of charas from the petitioner, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

8. In case the Investigating Officer of the case has not already been examined, he shall be examined on the next date fixed in the learned trial Court and the learned trial Court will expeditiously conclude the trial within a period of four months.



9. The Senior Superintendent of Police, Muzaffarpur shall ensure the appearance of the Investigating Officer of the case on the next date in the learned trial Court.

10. Let a copy of this order be communicated to the Senior Superintendent of Police, Muzaffarpur for its due compliance through the Investigating Officer concerned.

(Partha Sarthy, J)

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