

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32630 of 2024

Arising Out of PS. Case No.-326 Year-2020 Thana- BOCHAHAN District- Muzaffarpur

Chhotu Sahani @ Chhotu Sahni, Son of Vansh Lal Sahani, Resident of
Village- Sanathi, P.S.- Bochahan, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate

For the Opposite Party/s : Mr. Harendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 17-05-2024

1. Heard learned counsel for the parties.

2. The petitioner has renewed his prayer for grant of regular bail in connection with N.D.P.S Case no. 134 of 2020, arising out of Bochaha P.S. Case no. 326 of 2020 registered under sections 20 and 22 of the N.D.P.S Act and sections 25(1-B)(a), 26 and 35 of the Arms Act.

3. As per the prosecution case, the petitioner was amongst the accused who was caught and on search from the vehicle in question, 10.2 kgs of *ganja* and about 1 kg of *charas* besides a loaded country made pistol was recovered.

5. It is submitted by learned counsel for the petitioner that the earlier applications for bail of the petitioner were rejected vide orders dated 28.2.2022 passed in Cr. Misc. no. 29678 of 2021, dated 18.1.2023 passed in Cr. Misc. no.60401 of



2022 and dated 9.8.2023 passed in Cr. Misc. no.43762 of 2023. In spite of the petitioner being in custody since 4.12.2020 and having no criminal antecedent, the trial has still not concluded nor there is any chance of the same concluding in the near future. He undertakes to cooperate in the trial.

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

7. A report was called for from the learned trial Court. As per the report received contained in letter dated 2.5.2024 of the learned Exclusive Special Judge-II, N.D.P.S Act, Muzaffarpur four out of the six charge-sheet witnesses including the the Investigating Officer and the informant of the case have been examined. Two seizure list witnesses remain to be examined.

8. Having heard learned counsel for the parties and taking into consideration the nature of allegation against the petitioner and 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.

9. Learned trial Court is directed to expedite the trial.

10. The Senior Superintendent of Police, Muzaffarpur is directed to ensure the production of the remaining two seizure



list witnesses in the learned trial Court for expeditious disposal of the case.

11. In case, the trial is not concluded for no fault on part of the petitioner within a period of 6 months from the date of communication of this order, the petitioner will be at liberty to renew his prayer for bail.

(Partha Sarthy, J)

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