

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23154 of 2025

Arising Out of PS. Case No.-764 Year-2023 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

=====

Rajendra Choudhary, S/o late Jagdish Choudhary, Resident of Mohalla-
Nayachak, Near Budhiya Kali Asthan, P.S. -Ishakchak, District-Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr. Ganpati Trivedi, Sr. Advocate
		Mr.Madan Mohan, Advocate
		Mr. Rahul Raj, Advocate
		Mr. Ritik Shah, Advocate
		Mr. Saurav Suman, Advocate
For the Opposite Party/s :		Mr.Jagdhar Prasad, APP

=====

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

3 08-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. Learned counsel for the petitioner submits that the
petitioner's prayer for bail was earlier rejected vide order dated
05.07.2024 passed in Criminal Miscellaneous No. 16666 of
2024.

3. Learned counsel further submits that the petitioner
is an old aged person and he is in custody since 19.08.2023
having clean antecedent. Nothing has been recovered from his



conscious possession. Learned counsel further submits that the co-accused has been granted bail by this Court vide order dated 06.09.2024 passed in Criminal Miscellaneous No. 49192 of 2024.

4. Learned APP for the State opposes the prayer for bail and submits that, as mentioned in the rejection order, the recovery made in the present case pertains to a commercial quantity of brown sugar. It has further been stated that there were only two persons involved in the incident, one of whom fled from the scene while recovery was effected from the possession of the petitioner. The person who fled was granted bail as no contraband was recovered from his conscious possession. However, a commercial quantity of brown sugar was recovered from the possession of the petitioner. He further submits that on an earlier occasion, a report regarding the present stage of the trial and the expected time frame for its conclusion was called for.

5. Upon perusal of the report received from the Court of the District & Additional Sessions Judge-I, Bhagalpur it appears that the Sessions Trial is presently at the stage of prosecution evidence. Out of five chargesheeted witnesses, one has already been examined and cross examined. The report



further indicates that the trial is likely to conclude within approximately four months.

6. In view of the aforesaid circumstances, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for bail in connection with Kotwali P.S. Case No. 764 of 2023, pending before the Court of the learned Additional Sessions Judge-1 cum Special Judge, Drugs and Cosmetic Act, Bhagalpur, is hereby rejected.

7. Speedy trial is a constitutional mandate and an integral facet of justice. Accordingly, the Trial Court is directed to take all necessary steps to ensure that the trial is concluded within a period of six months from the date of receipt of a copy of this order. The Sr. Superintendent of Police/ Superintendent of Police, Bhagalpur, is directed to instruct the concerned Station House Officer/Investigating Officer of the case to take all requisite steps to secure the attendance and examination of all remaining charge-sheet witnesses in connection with the aforesaid case within the stipulated period.

8. The Registry is directed to communicate a copy of this order to the Sr. Superintendent of Police/Superintendent of Police, Bhagalpur, through Email/WhatsApp/Fax or any other suitable mode of communication forthwith.



9. The Registry is further directed to hand over a copy of this order to the learned Additional Public Prosecutor for communication to the Sr. Superintendent of Police/Superintendent of Police, Bhagalpur, at his own level.

(Dr. Anshuman, J)

Ashwini/-

U		T	
---	--	---	--

