

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50463 of 2024

Arising Out of PS. Case No.-28 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Nawada

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RAVINDRA KUMAR SON OF MAYA RAM RAY @ MAYA RAY R/S-
SAIDABAD, MOHANPUR, P.S.- RAGHOPUR, DISTT.- VAISHALI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :
For the Petitioner/s : Ms. Soni Kumari, Adv
For the Opposite Party/s : Mr. Mohammad Sufyan, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 31-01-2025 Heard learned counsel appearing on behalf of the

parties.

2. It is submitted by learned counsel that on earlier occasion vide order dated 03.01.2024 through Cr. Misc. No. 16379 of 2022 the prayer of this petitioner was rejected on the sole ground that the learned trial court asked for six months time, as to conclude the trial and by that time out of five prosecution witnesses only two witnesses were examined. It is pointed out that thereafter more than a year has lapsed and only two witnesses thereafter were examined by the trial court and still this matter is pending for prosecution evidence. In the backdrop of the delay of trial, where petitioner is in



custody since 09.07.2021, it is submitted that petitioner cannot be kept behind bars for the indefinite period of time in want of trial as speedy trial is the fundamental right of the citizen. In support of his submission learned counsel relied upon the legal report of **Hussainara Khatoon (I) Vs. Home Secy., State of Bihar**, reported in **(1980) 1SCC 81**.

3. A report from learned trial court was also called by this Court in the present proceeding vide order dated 10.01.2025, where in furtherance of aforesaid direction a report from learned trial court was made available through letter no. 8 dated 23.01.2025, where it appears that out of 5 only 4 witnesses were examined and still asked further time of 6 months in terms of its earlier letter.

4. In view of the facts and circumstances as mentioned above and by taking note of the fact, certainly petitioner cannot be kept inside bars for indefinite period of time in want of trial, where petitioner is in custody since 09.07.2021 and still conclusion of trial is a remote event, accordingly, petitioner, above named, is directed to be



released on bail in connection with Special NDPS Case No. 28 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Nawada/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C./ Section 480(3) of the BNSS.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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