

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59930 of 2024

Arising Out of PS. Case No.-13 Year-2022 Thana- BAJPATTI District- Sitamarhi

Nasim Nadaf @ Wasim @ Md. Nasim Son Of Late Md. Hasim Nadaf
Resident Of Village - Bhalahi, P.S. - Bathnaha, District - Sitamarhi

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Adv.

Mr. Sanjay Kumar, Adv.

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 17-01-2025 Heard learned senior counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with Bajpatti P.S. Case No. 13 of 2022 dated 21.01.2022, lodged under Sections 399, 402, 413 and 414 of the I.P.C. read with Sections 8, 20(b)(ii)(c) and 22 of the NDPS Act and Sections 25(1-b)a, 26 and 35 of the Arms Act

3. Learned senior counsel for the petitioner submits that the petitioner is in custody since 22.01.2022, charge has already been framed and in spite of the order passed by this Court at the time of rejecting the bail dated 10.08.2023 in Cr. Misc. No. 10030 of 2023 to expedite the trial and conclude the same as soon as possible, trial has not been concluded. He



submits that the petitioner deserves expedite trial in the light of the observation made.

4. Learned A.P.P. for the State on the other hand opposes the prayer for bail and submits that on the previous occasion, progress report of the trial has been called for. From perusal of the report, it transpires that out of 11 PWs, 5 witnesses have been examined and 6 prosecution witnesses have yet to be examined.

5. This matter is relating to Sitamarhi District. The Superintendent of Police, Sitamarhi is directed to assure the appearance of witnesses before the Trial Court with a view to save the constitutional vision of justice. He is also directed to do all the needful so that the witnesses be produced before the Trial Court within 3 months from today and also submit a report to this Court as to who is the responsible Officer and what action has been taken by him against the said official, so that in future such mistake shall not take place.

6. In the present facts and circumstances of this case and the submissions made above, this Court is not inclined to grant bail to the petitioner at present, therefore, his bail petition is hereby rejected.

7. However, liberty is hereby granted to the petitioner



that he may move before this Court after a lapse of six months.

(Dr. Anshuman, J)

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