

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83109 of 2024

Arising Out of PS. Case No.-776 Year-2022 Thana- BARACHATTI District- Gaya

Krishna Kumar @ Krishana Kumar S/o- Late Mahaveer Mahto Village-
Dhanawa PS-Barachatti District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Prasad Singh, Senior Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 10-01-2025 Heard Mr. Krishna Prasad Singh, the learned Senior

Counsel for the petitioner and Mr. Harendra Prasad, the learned

Additional Public Prosecutor for the State.

2. The petitioner seeks bail, who is in custody since 28.08.2022 in connection with Barachatti P.S. Case No. 776 of 2022 (NDPS Case No.47 of 2022) , F.I.R. dated 27.08.2022 registered for the offence punishable under Sections 18,20,22 of N.D.P.S. Act.

3. Earlier the petitioner has moved before this Hon'ble Court in Cr. Misc. No. 6468 of 2023, which was rejected vide order dated 24.07.2023. Thereafter, the petitioner has again moved before this Court in Cr. Misc. No. 26639 of 2024 which was dismissed for default for non-compliance of the peremptory order dated 03.04.2024. Thereafter, the petitioner



has filed the present bail petition.

4. As per the prosecution case, on seeing the police, two miscreants boarded on a motorcycle started fleeing away but they were apprehended by the police. On being asked, they disclosed their names as the petitioner Krishna Kumar and the co-accused Pappu Yadav. On search, Rs. 7,20,000/- was recovered from the dickey of the motorcycle. They further disclosed that they got this amount by selling opium. Petitioner also disclosed that opium was kept at his house and on search of his house, 5 kg Afim, 400 Gram Doda and 1 Kg brown sugar were recovered.

5. Vide order dated 28.11.2024, a report was called for with regard to the stage of the trial and report dated 05.12.2024 of the learned trial Court reveals that out of six chargesheeted witnesses, only two witnesses have been examined as yet.

6. Considering the nature of allegation in the F.I.R. as well as recovery from the house of the petitioner and the report of the learned Trial Court, I am not inclined to enlarge the petitioner on bail in connection with N.D.P.S. Case No. 47 of 2022 arising out of Barachatti P.S. Case No. 776 of 2022 pending in the court of learned Additional Sessions Judge-1st,



Gaya.

7. However, the learned trial Court is directed to expedite and conclude the trial at the earliest.

(Rajesh Kumar Verma, J)

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