

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34072 of 2016

Arising Out of PS.Case No. -24 Year- 2014 Thana -ECONOMIC OFFENCES, BIHAR District-
PATNA

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Shiv Narayan Giri, Son of Suraj Giri, Resident of Village- Hasanpur,
Kanchanpur, P.S.- Taravan, District- Azamgarh, Uttar Pradesh.

.... Petitioner.

Versus

1. The State of Bihar.
2. Economic Offences Department/Unit, Govt. of Bihar.

.... Opposite Parties.

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Appearance :

For the Petitioner : Mr. Vikas Ratan Bharti, Advocate.

For the State : Mr. Anand Kishore Chhouthary, A.P.P.

For the EOU : M/s. V.N.P. Sinha, Senior Advocate and Vijay Anand,
Advocate.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**
ORAL ORDER

4 27-01-2017 Heard.

The petitioner seeks bail in connection with Special
Case No.38 of 2014, arising out of Economic Offence P.S. Case
No.24 of 2014, registered under Sections 80, 20(B)(iii) and 29 of
the N.D.P.S. Act.

The accusation is that the police on receiving secret
information about carrying the Ganja, concealing in a truck,
started to search the vehicle. In that course, a truck bearing
Registration No.UP-50AT-2319 was searched and 413.2
kilograms, kept in 61 blue colour packets, was recovered from the
same. Three persons were apprehended by the police, who



disclosed their name as Prakash Giri (driver), Hira Sah and Santosh Sah. On query, Prakash Giri, the driver of the truck, disclosed that the truck was belonging to this petitioner, who had instructed them to carry the Ganja from Jharsugra (Odisha).

Learned counsel appearing on behalf of the petitioner submits that, in fact, the petitioner is the owner of the truck and he had no knowledge about carrying the Ganja on the truck by the driver Prakash Giri. Further submission is that the petitioner having no criminal antecedent is in custody since 04.01.2016. The petitioner undertakes that he will attend the trial court on each and every date fixed in the case during the course of the trial.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the 2nd Additional Sessions Judge, Patna (Special Judge, N.D.P.S.-cum-Economic Offences), in connection with Special Case No.38 of 2014, arising out of Economic Offence P.S. Case No.24 of 2014. Out of the two sureties, one must be close relative of the petitioner, who will file an affidavit giving genealogy as to how he/she is related with the petitioner. The bailors will undertake to furnish information to the court about any change in the address of



the petitioner. Further, the petitioner shall attend the trial court on each and every date fixed in the case during the course of the trial. If the petitioner fails to appear in the trial court during the course of the trial on two consecutive dates without any reasonable cause being shown, the trial court would be at liberty to cancel the bail bonds of the petitioner.

(Rajendra Kumar Mishra, J)

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