

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34381 of 2018

Arising Out of PS.Case No. -11 Year- 2016 Thana -ECONOMIC OFFENCES, BIHAR District-
PATNA

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Anshuman Chakrabarty, Son of Late Animesh Chakrabarty, resident of
Village- Madhuban Dukli, P.O. Dukli, Police Station- Arundhati Nagar,
District- Vishalgarh (Tripura)

.... Petitioner/s

Versus

The State of Bihar through the Economic Offence Unit, Bihar, Patna

.... Opposite Party/s

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Appearance :

For the Petitioner : Mr. Arvind Kumar Tewary, Advocate
For the EOU : Mr. V.N.P Sinha, Sr. Advocate (EOU)
Ms. Soni Shrivastava, Advocate

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 13-07-2018 Heard learned counsel for the petitioner and Mr.

V.N.P. Sinha, learned Senior Counsel appearing on behalf of the

Economic Offence Unit (E.O.U.).

The petitioner is in custody since 07.09.2016 in
connection with Economic Offence Police Station Case No.11
of 2016 (Special Case No.65 of 2016) registered for the offences
under Sections 8, 20(b)(ii)(c), 25 and 29 of the N.D.P.S. Act.

Learned counsel for the petitioner submits that the
present petitioner was merely the Driver of the vehicle and had
nothing to do with the transaction of the psychotropic substance,
which was allegedly recovered from the vehicle, which was
purportedly driven by him. It is further submitted that the



petitioner is languishing in jail for now over two years and the trial is well under progress and six witnesses have already been examined. As such, the petitioner may be extended the privilege of bail.

Learned Senior Counsel appearing for the Economic Offences Unit submitted that in view of the recovery of huge quantity of psychotropic substance from the truck, which was being driven by the petitioner of the otherwise empty truck but for the offending article hidden inside the body of the truck and in a concealed box, the petitioner can be held to be solely and wholly responsible for carrying the same.

Having heard learned counsel for the petitioner and the learned counsel appearing for the E.O.U., I am not inclined to release the petitioner on bail. The application stands rejected, however, with a direction to the learned Additional Sessions Judge-III, Patna, to expedite and conclude the trial within a period of six months, as it has been informed by the learned counsel for the petitioner that six witnesses have already been examined.

(Anjana Mishra, J)

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