

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37499 of 2018

Arising Out of P.S.Case No. -12 Year- 2016 Thana -ECONOMIC OFFENCES, BIHAR District-
PATNA

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Munna Yadav, S/o Late Nemi Singh, R/v- Dhan Pokhar, P.S.- Piro, Distt.-
Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar
2. Economic Offence Unit, Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha, Advocate

For the Economic Offence Unit : Mr. Vishwanath Prasad, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

3 23-07-2018 Heard learned counsel for the petitioner as well as

learned counsel for the Economic Offence Unit.

The petitioner is in custody in connection with Special
Case No.67 of 2016 arising out of Economic Offence P.S.Case
No.12 of 2016 pending in the Court of Additional Sessions Judge-
III, Patna registered for an offence under Sections 420, 467, 468
and 471 of the IPC and Sections 8/20(b)(ii)(c), 25/29 of the NDPS
Act.

As per FIR, the informant on a tip off constituted a
raiding party and proceeded towards the destination. It is stated
that in the early morning at about 5 A.M., the police party
intercepted the Bolero vehicle and seized 182 K.G. ganja in 14



packets kept in a secret chamber created beneath the rear seat. The petitioner and driver were apprehended.

It has been submitted that the petitioner is a businessman and he had taken lift for going to Bhojpur. The informant without applying the mandatory provision of law has prepared seizure memo without any material against him. The petitioner has clean antecedent and so petitioner deserves to be enlarged on bail.

The learned counsel for the Economic Offence Unit has opposed the bail.

On perusal of the FIR, it appears that this petitioner has been described as a co-driver of the said vehicle. The petitioner and co-accused in their confession have stated that the ganja was carried by them from Orissa. In course of investigation, it has come that the mobile recovered from the possession of the petitioner was in the tower location of Orissa where he had loaded ganja.

Considering the huge quantity of ganja recovered from the possession of the petitioner, I am not inclined to release the petitioner on bail. Prayer for bail is rejected.

(Sanjay Kumar, J)

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