

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10804 of 2019**

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

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LITAN DAS Son of Sadhan Das Resident of Village - and P.S.- Amtali, Distt.-
West Tripura (Tripura)

... .. Petitioner/s

Versus

THE STATE OF BIHAR THROUGH THE ECONOMIC OFFENCE UNIT,
BIHAR, PATNA Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arvind Kumar Tewary

For the Opposite Party/s : Mr.V.N.P. Sinha (E.O.U.,Patna)

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER**

3 26-04-2019 Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection with Economic Offence P.S.Case no.11 of 2016 dated 6.9.2016 (Special Case No.65 of 2016) registered for offences punishable under Sections 8, 20(b)(ii)(c), 25 and 29 of the NDPS Act.

Allegation against the petitioner is about recovery of 804 and odd kilogram of *Ganja* from the Truck and it is stated that the petitioner and one Pranav Kumar Das were owner of the Truck.

Submission of the learned counsel for the petitioner is that whatever the allegation has come that has come against Pranav Kumar Das and he is facing trial. There is absolutely



nothing against the petitioner except that he is also in business along with Pranav Kumar Das.

Heard learned A.P.P. and the learned Sr. Counsel for Economic Offence Unit, Bihar, who has opposed the prayer for bail stating that the recovery is from a separate chamber created purposely for smuggling of *Ganja* and the petitioner and Pranav Kumar Das are owner of the Truck and they are engaged in smuggling. .

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant privilege of anticipatory bail to the petitioner, however, the petitioner is directed to surrender before the learned court below within a period of six weeks from the date of receipt of the order and make prayer for regular bail, which will be considered by the learned court below on its own merit.

With the aforesaid direction, this application is dismissed.

(Vinod Kumar Sinha, J)

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