

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26746 of 2018

Arising Out of PS. Case No.-2 Year-2016 Thana- ECONOMIC OFFENCES, BIHAR
District- Patna

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Swaraj Kumar Shukla, S/o-Krishan Mohan Shukla, R/v-Jamo Jalalpur, P.S.-
Jamo Bazar, Distt. Siwan.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Economic Offence Unit through Addl. S.P. Cum S.H.O., E.O. Police
Station, Bihar, Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vijay Kumar Sinha
For the Opposite Party/s : Mr.Sri Satyavarat Verma

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

6 24-07-2019 Heard learned counsel for the petitioner and learned
counsel the Economic Offence Unit.

The petitioner has renewed the prayer for bail in a
case registered for the offences punishable under Sections 8,
20(b) (ii), 25 and 29 of the Narcotics Drugs and Psychotropic
Substances Act.

The prosecution case is that on secret information
received by Rajesh Narayan Verma, Police Inspector, Economic
Offence Unit, Patna, that ganja was being smuggled in two
vehicles, one Tata Sumo Gold vehicle was intercepted and from
the said vehicle, 60 kgs ganja concealed in different chambers
especially created in the vehicle were recovered. The vehicle



was being driven by co-accused Santosh Yadav and the petitioner was the co-passenger.

It has been claimed by the petitioner that he was simply a bona fide passenger and on the submission made by learned counsel for the Economic Offence Unit that the petitioner was the second driver of the intercepted vehicle from which he was arrested. The initial prayer for bail of the petitioner was rejected vide order dated 24.08.2016 passed in Cr. Misc. No. 35507 of 2016 and thereafter, the petitioner renewed the prayer for bail vide Cr. Misc. No. 19209 of 2017. The learned trial Court submitted a report dated 01.09.2017 that the trial will be concluded within a period of four months while again the prayer for bail of the petitioner was rejected vide order dated 20.09.2017 passed in Cr. Misc. No. 19209 of 2017 with a liberty to the petitioner to renew the prayer for bail if the trial is not concluded within four months.

Learned counsel for the petitioner submits that the petitioner is languishing in custody since 08.04.2016 and the trial has not been concluded as yet.

Mr. V.N.P. Sinha, learned Sr. counsel for the Economic Offence Unit submits that the prosecution has closed its evidence and now the trial will be concluded very soon.



Considering the commercial quantity of recovery of ganja and the trial is on the verge of conclusion, this Court is not inclined to grant bail to the petitioner in connection with Economic Offence Case No. 02 of 2016, pending in the Court of learned Additional Sessions Judge-I, Patna.

Accordingly, the prayer for bail of the petitioner is again rejected.

However, it is expected from the learned trial Court to conclude the trial within a period of two months, if already not concluded.

(Dinesh Kumar Singh, J)

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