

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16666 of 2021

Arising Out of PS. Case No.-11 Year-2019 Thana- ECONOMIC OFFENCES, BIHAR
District- Patna

=====

Nagina Rai Son Of Sri Janki Rai Resident Of Village - Athmal Gola, Chhedi
Singh Ka Tola, P.S.- Athmal Gola, Distt. - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Vyas Kumar Mishra
For the Opposite Party/s : Mr. Abhay Kumar No. 1

=====

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-08-2021 Heard learned counsel for the petitioner and learned A.P.P.
for the State through virtual court proceeding.

Learned counsel for the petitioner submits that due to
typographical mistake in the first paragraph of the bail petition
Sections 120(b)(ii)(c), 25 and 29 of the N.D.P.S Act has been
typed in place of Sections 8/20(b)(ii)(c), 25 and 29 of the N.D.P.S.
Act.

Let it be so corrected and read as accordingly.

Learned counsel for the petitioner undertakes to remove the
defects within four weeks of resumption of normal court
proceeding. In the eventuality of non-removal of defects within
undertaken period, the office will place the matter before the
Bench.

The petitioner seeks bail in connection with Economic



Office P.S. Case No. 11 of 2019 registered for the offence punishable under Sections 8/20(b)(ii)(c), 25 and 29 of the N.D.P.S. Act.

Acting on a tip of secret information 413.850 Kg in 82 packets of Ganja, three mobile phones, cash of Rs. 5,200/- were recovered by Superintendents, Economic Offence Unit from the Truck bearing registration No. W.B. 59 B 9972. It is alleged that above articles were carried by petitioner and one other co-accused person *Abhijit Raj @ Bittu* for illegal business of smuggling from Orissa to Patna.

It is submitted by learned counsel for the petitioner that petitioner has falsely been implicated in this case and has not committed any offence as alleged in the FIR. He submits that petitioner is the driver of the said vehicle from which the aforesaid recovery was made. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. The petitioner has no criminal antecedent and has been languishing in custody since 25.10.2019.

Learned APP for the State vehemently opposed the bail petition.

Considering the facts aforesaid and the fact that huge quantity of contraband articles were recovered from the petitioner, I am not inclined to grant privilege of bail to the petitioner in



connection with Economic Offence P.S. Case No. 11 of 2019 from
the court of Learned Additional District and Session Judge VI cum
Special Judge (NDPS), Patna.

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

However, the Trial court is directed to expedite the trial.

(Anjani Kumar Sharan, J)

GAURAV S./-

U		T	
---	--	---	--

