

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3674 of 2021

Arising Out of PS. Case No.-20 Year-2014 Thana- ECONOMIC OFFENCES, BIHAR
District- Patna

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NEHALUDDIN @ NIHALUDDIN S/o Late Moinuddin R/o Mohalla-
Choudhariana, P.S.- Ara Town, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Usha Kumari Singh, Advocate.
For the Opposite Party/s : Mrs. Sangeeta Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 13-04-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual Court proceedings.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 414, 420, 467, 468, 471,
472/34 of the Indian Penal Code and 20(B) (1)/23/29 of NDPS
Act.

The prosecution case in brief is that the informant,
who is inspector of Economic Offence Police Station, acting on
a tip off intercepted one truck and seized 183kg of Ganja.
Petitioner is said to be the driver of the said truck.

It is submitted by learned counsel for the petitioner
that no such occurrence as alleged ever took place. He is quite
innocent and has been falsely implicated in this case merely on



suspicion by the police. He is simply driving the said truck on the instruction of his owner without knowing the content ladden therein. He has no concern with the seized Ganja. 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 30.03.2014.

Vide order dated 16.03.2021, a report was called for from the learned trial court regarding the stage of the case. In compliance thereof, a report has been received, which is at Flag-A of this application, in which it is stated that out of 13 prosecution witnesses, evidence of 8 witnesses have recorded including the informant. Rest of the witnesses including the I.O. were summoned on 25.02.2020 and since then the record is pending for evidence.

Learned APP for the State vehemently opposing the bail petition submitted that huge quantity of Ganja was recovered from the truck and the petitioner is the driver of the said truck. Hence, petitioner does not deserve bail.

In the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. The prayer for bail is hereby rejected.

However, the learned Trial Court is directed to



conclude the trial as expeditiously as possible preferably within a period of nine months from the date of receipt/production of a copy of this order. Both the parties are expected to extend their co-operation in early conclusion of the trial.

(Anjani Kumar Sharan, J)

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