

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.761 of 2022

Arising Out of PS. Case No.-13 Year-2018 Thana- ECONOMIC OFFENCES, BIHAR
District- Patna

=====

Bhola Yadav, S/o Late Raghupati Yadav, R/o Dhobahan Bazar, P.S.-Muffasil,
District-Bhojpur

... .. Petitioner/s

Versus

The State of Bihar through the Economic Offence Unit, Bihar Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s :	Mr.Binod Murari Mishra, Advocate
For the Opposite Party/s :	Mr.Vishwanath Pd. Sinha, Sr. Advocate
	Mr. Vijay Anand, Advocate
	Mr. Harendra Prasad, APP

=====

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 18-10-2022 Heard learned counsel for the petitioner and learned
counsel for the Economic Offences Unit.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks.

In the present case, the petitioner seeks bail in
connection with Special Case No. 114 of 2018, arising out of
Economic Offence P.S. Case No. 13 of 2018, registered for the
alleged offence under Sections 8, 20 (b) (ii) (c), 25 and 29 of
NDPS Act.

As per prosecution case, on specific information
received by Economic Offence Unit, a four wheeler vehicle was
intercepted which was being driven by this petitioner and on
search of the said vehicle, total 55 Kg. of Ganja was recovered.



The petitioner was apprehended from the spot.

The learned counsel for the petitioner submits that the petitioner had earlier moved before this Court for grant of bail and his prayer was rejected vide order dated 27.04.2021 passed in Cr. Misc. No.42587 of 2019. The learned counsel further submits that the petitioner is merely a driver and he was having no knowledge about the Ganja kept hidden in his vehicle. It is the co-accused who are responsible for transportation of Ganja. The petitioner is in custody since 10.10.2018 and the trial has not been concluded even after a such long time.

Learned counsel appearing on behalf of Economic Offence Unit opposes the prayer for bail submitting that the huge quantity of Ganja has been recovered from the vehicle which was being driven by this petitioner and the petitioner was apprehended from the spot. He further submits that no fresh ground has been made for grant of bail after earlier petition for bail was rejected by a Coordinate Bench of this Court. He further submits that presently the Special Court is lying vacant and out of 10 charge sheet named witnesses, 9 have already been examined and the trial will be concluded as soon as the regular Presiding Officer joins.

Perused the records.



Having regard to the facts and circumstances of the case and submissions made hereinabove and considering the fact that earlier prayer for bail of the petitioner was rejected and except for non-conclusion of the trial, no fresh ground has been brought on record in support of his prayer for grant of bail as I am not persuaded to believe that the petitioner is not guilty of the offence or he will not commit the same offence again and hence, his prayer for grant of bail is rejected.

However, the learned trial court is directed to expedite the trial and conclude the same within three months from the date of joining of regular Presiding Officer.

(Arun Kumar Jha, J)

V.K.Pandey/-

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

