

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76494 of 2023**

Arising Out of PS. Case No.-12 Year-2023 Thana- ECONOMIC OFFENCES, BIHAR
District- Patna

SUNIL KUMAR GUPTA @ SUNIL KUMAR SON OF MANIJAR SAH
VILLAGE- KESHARI ,P.S. -CHAND , DISTRICT- KAIMUR AT BHABUA

... .. Petitioner/s

Versus

- 1. The State of Bihar BIHAR
- 2. POLICE INSPECTOR OF ECONOMIC OFFENCE UNIT PATNA BIHAR,
PATNA

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 24487 of 2024

Arising Out of PS. Case No.-12 Year-2023 Thana- ECONOMIC OFFENCES, BIHAR
District- Patna

ANJANI PANDEY SON OF LATE NARMADESHWAR PANDEY
RESIDENT OF VILLAGE - CHHOTKA MORE, P.S. - MUFFASSIL
SASARAM, DISTRICT - SASARAM

... .. Petitioner/s

Versus

- 1. THE STATE OF BIHAR BIHAR
- 2. THE POLICE OFFICER ECONOMIC OFFENCE BIHAR PATNA BIHAR

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 76494 of 2023)

For the Petitioner/s : Mr.Tribhuwan Narayan

For the EOU : Mr.Rana Vikram Singh

(In CRIMINAL MISCELLANEOUS No. 24487 of 2024)

For the Petitioner/s : Mr.Dharmendra Singh

For the EOU : Mr.Rana Vikram Singh

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

7 25-07-2024 Heard learned counsel for the petitioners as well as
learned APP for the State.

2. In this case, the petitioners are seeking regular



bail in connection with Sadar Patna Economic Offences P.S. Case No. 12 of 2023 registered for the offences punishable under Sections 8/20(B) (II) (C), 25, 29 of the NDPS Act.

3. As per allegation, on a secret information, the informant along with raiding party seized the vehicles of the petitioners. 30 kg of *ganja*, kept in *dicky* of Swift Dzire Car bearing registration no. UP65DB-1365, was recovered from the vehicle, to which the petitioner Sunil Kumar Gupta is driver and 100 kg of *ganja*, kept hidden in old tyres of vehicle, bearing registration no. UP65DT-2815, was recovered from another vehicle. Total 130 kg of *ganja* is said to have been recovered from their vehicles. Some mobile phones and cash were also alleged to have been recovered from their possession.

4. The learned counsel for the petitioners has submitted that the petitioners are the persons of clean antecedent and have falsely been implicated in this case. Petitioner Sunil Kumar Gupta is merely the driver of the seized vehicle wherefrom 30 kg of *ganja* was recovered. He has submitted further that Section 50 of the NDPS Act has not been complied with. Petitioner Sunil Kumar Gupta is under custody since 09.09.2023 and petitioner Anjani Pandey is under custody since 07.09.2023.



5. On the other hand, the learned APP for the State has opposed the prayer for bail and submitted that huge quantity i.e. 130 kg of ganja was recovered from vehicle of the petitioners. The seized contraband is more than the commercial quantity.

6. Considering the above-mentioned facts and circumstances, I am not inclined to grant bail to the petitioners. Accordingly, the prayer for bail of the appellants is hereby rejected.

(Nawneet Kumar Pandey, J)

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