

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76715 of 2024

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

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Pramod Kumar @ Pramod Sah S/o Sri Jagdish Sah R/o vill - Shukulwa, Dahi
Bhatta Bazar, P.S. - Nagar Gopalganj, Distt. - Gopalganj

... .. Petitioner/s

Versus

1. The State of Bihar
2. The S.P. Economic Offence Unit Bihar, Patna, Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Upendra Yadav, Advocate
For the E.O.U.	:	Mr. V.N.P. Sinha, Sr. Advocate
		Mr. Vijay Anand, Advocate

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 25-10-2024 Defect as pointed out by the office is ignored.

2. Heard Ld. counsel for the petitioner and learned
APP for the State.

3. The petitioner seeks bail in connection with
Economic Offence P.S. Case No. 02 of 2016, corresponding to
Spl. (NDPS) Case No. 84 of 2016 dated 07.04.2016, registered
for the offences punishable under Sections 8, 20 (b) (ii) (c), 25
and 29 of the N.D.P.S. Act.

4. As per allegation, there is recovery of 60 Kg. of
Ganja from a Tata Sumo Gold bearing Registration No.
CG12W-3122.

5. Ld. counsel for the petitioner submits that the case



of the petitioner is similar to that of Bhagat Yadav who has been already enlarged on bail. As per the allegation, one co-accused Santosh Yadav was arrested with contraband who has already been convicted and as per his statement, he was going to supply the contraband to Bhagat Yadav and the present petitioner and Bhagat Yadav has already been enlarged on bail by this Court vide order dated 03.01.2023 passed in Cr. Misc. No. 34078 of 2022. He further submits that the case of the petitioner is based on similar footing with that of Bhagat Yadav. He further submits that the petitioner has been languishing in jail since 18.07.2024.

6. It has also been stated in paragraph no. 3 that the petitioner has no criminal antecedent.

7. It is also stated in paragraph no. 2 of the petition that the petitioner has not moved earlier before this Court or before the Hon'ble Supreme Court for grant of regular bail.

8. However, Mr. V.N.P. Sinha, Ld. Senior counsel for E.O.U. along with Mr. Vijay Anand vehemently oppose the prayer of the petitioner for bail submitting that case of the petitioner is not similar to that of Bhagat Yadav because he had got bail after remaining in custody for more than one year. He further submits that petitioner was also absconder and on



account of his absconding, the investigation has been hampered and his anticipatory bail has been rejected by Hon’ble Supreme Court and only thereafter he has surrendered.

9. Considering the aforesaid facts and circumstances, prayer of the petitioner for bail stands rejected at this stage but he can renew his prayer for bail after submission of charge-sheet.

(Jitendra Kumar, J.)

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