

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74605 of 2023

Arising Out of PS. Case No.-4 Year-2016 Thana- ECONOMIC OFFENCES, BIHAR
District- Patna

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Dharmendra Kumar Rajak Son of Deputy Rajak R/o vill - Panditpur, P.S. -
Barhara, Distt. - Bhojpur

... .. Petitioner/s

Versus

1. The State of Bihar through Superintendent of Police, Patna Bihar
2. Economic Offence Unit, Bihar, Patna Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Devendra Prasad Singh, Advocate
For the Opposite Party/s	:	Mr. Awadhesh Kumar Singh, Advocate
For the EOU	:	Mr. V.N.D. Singa, Sr. Advocate
		Mr. Bijay Anand, Advocate

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

4 12-02-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks regular bail in connection with
Economic Offence P.S. Case No. 04 of 2016, registered for the
offences punishable under Sections 8, 20(b)(ii)(c), 25, 29 of the
NDPS Act.

3. As per the prosecution case, 425 Kg Ganja was
recovered from the truck which was being driven by the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this case.
Petitioner is only the driver of the truck from which the ganja was
recovered. Petitioner is the only bread earner of his family. He further
submits that his prayer for bail was earlier dismissed vide order dated



02.01.2023 passed in Cr. Misc No. 16171 of 2021 with observation that the trial court shall proceed expeditiously to conclude the trial in accordance with law without granting unnecessary adjournment. But till date the trial has not been concluded. The petitioner is in custody since 16.05.2016 having no criminal antecedent.

5. Learned APP for the State has opposed the prayer for regular bail of the petitioner alleging that there is recovery of huge quantity of 425 kg of ganja from cabin of the truck which the petitioner was driving and the same is commercial quantity and there is no new ground for consideration of bail of the petitioner at this stage.

6. A report as been received from the learned trial court requesting three months more time to conclude the trial of the case.

7. Considering aforesaid facts and circumstances of the case, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner stands rejected

8. The trial court is expected to conclude the trial within the said period.

(Sunil Dutta Mishra, J)

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