

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11021 of 2025

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 Village- Shukulwa,
Dahi Bhatta Bazar, P.S- Nagar Gopalganj, Distt.- Gopalganj.

... .. Petitioner

Versus

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

... .. Opposite Party

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Appearance :

For the Petitioner	:	Mr. Upendra Yadav, Advocate. Mr. Ghanshyam, Advocate.
For the State	:	Mr. Chandra Sen Prasad Singh, APP
For the E.O.U.	:	Mr. N.P. Sinha, Sr. Advocate. Mr. Vijay Anand, Advocate.

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 21-02-2025 As per office notes, certified copy of the FIR has not been filed, though, a copy of the FIR is on record. Learned counsel for the petitioner submits that he is not getting the certified copy of the FIR from the District court because the LCR has been received in Appeal which is pending before a co-ordinate Bench of this Court. Hence, objection is waived.

2. Heard learned counsel for the petitioner, learned APP for the State and learned counsel for the Economic Offence Unit.

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 registered for the offences punishable under Sections 420, 414, 467, 468, 471, 34 of the Indian Penal Code, Sections 8/20(b)(ii)(c), 25 and 29 of the N.D.P.S Act.

4. Earlier the petitioner had filed a Cr. Misc. 76715 of 2024 for his enlargement on regular bail, however, the same was rejected by the order dated 25.10.2024 passed by this Court observing that the petitioner may renew his prayer for bail after submission of charge sheet.

5. Learned counsel for the petitioner submits that charge sheet has been submitted and hence, he has renewed his prayer for regular bail by filing the present petition.

6. Even on merit, learned counsel for the petitioner submits that there is no recovery of any contraband from possession of the petitioner. It is the co-accused from whom the recovery of 60 Kg. *Ganja* has been made and only material against the petitioner is confessional statement of co-accused before the Police which is no evidentiary value and as such, liberty of the petitioner is being curtailed without any legal justification.

7. He further submits that the petitioner has been languishing in jail since 18.07.2024.



8. It has also been stated in paragraph no. 3 of the bail petition that the petitioner has no criminal antecedent.

9. However, learned APP for the State and learned counsel for the Economic Offence Unit vehemently oppose the prayer of the petitioner for bail.

10. Considering the aforesaid facts and circumstances, **this application is allowed**, directing the petitioner, above-named, to be enlarged on bail on his furnishing bail bonds in the sum of Rs.10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-cum-Special Judge (NDPS)-I, Patna, in connection with Economic Offence P.S. Case No. 02 of 2016 corresponding to Spl. (NDPS) Case No. 84 of 2016 on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not get hampered on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person



acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

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(Jitendra Kumar, J)

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