

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78523 of 2023

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

=====

SANJAY KUMAR S/O BHAIYA LAL R/O VILLAGE- RAMNA
BANPURWA, NEAR B.H.U. P.S- LANKA, DISTT.- VARANASI (U.P).

... .. Petitioner/s

Versus

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

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr. Tribhuwan Narayan, Adv.
For the State	:	Mr. Vinod Shanker Modi, APP.
For the E.O.U.	:	Mr. V.N.P. Sinha, Sr. Adv.
		Mr. Vijay Anand, Adv.

=====

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

7 24-04-2025 Heard learned counsel for the petitioner, learned APP for the State and learned Senior Counsel appearing for the Economic Offence Unit, Patna.

2. The petitioner apprehends his arrest 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 Narcotic Drugs and Psychotropic Substance Act, pending in the Court of Special Judge (N.D.P.S.) cum 1st Additional District & Sessions Judge, Aurangabad (Bihar).

3. The FIR discloses an allegation that from one pickup Van bearing Registration No. UP 65 Dt-2815, 100 kgs of *ganja* was recovered kept in 50 packets and from one



another vehicle being a Swift Dzire Car bearing Registration No. UP 65 DB 1365, 30 kg of ganja kept in 15 packets were recovered and seven persons in total were arrested along with the two seized vehicles and the seized *ganja*.

4. Learned counsel for the petitioner submits that the name of the petitioner has surfaced in the present case only on account of the fact that he happens to be the owner of the Swift Dzire Car. The further submission is that the petitioner is noway concerned with the said recovery as the car has been given on rent for being plied and it has been stated he did not have any information with regard to the consignment which was kept in the car. Learned counsel for the petitioner also submits that the petitioner is a man of clean antecedent and nothing substantial has been gathered against him during the course of investigation.

5. The present application has been opposed by the learned Senior Counsel appearing for the Economic Offences Unit mainly on the ground that huge quantity, being commercial quality of *ganja*, has been recovered from two vehicles and even considering the Swift Dzire



vehicle, a total of 30 kgs of *ganja* is said to have been recovered which is itself a commercial quantity. Learned Senior Counsel has also drawn the attention of the Court to the fact that the petitioner himself has admitted in his petition that while he is the owner of the car, his vehicle was hired by the co-accused in pretext to go to Orrisa and the materials collected during the investigation show that the *ganja* was loaded at Orissa. On the strength of these facts, learned Senior Counsel submits that it would not be proper to say that the petitioner had no knowledge about the consignment which was being carried in his car.

6. Considering the rival contentions of the parties and also taking into consideration that commercial quantity of *ganja* has been recovered from the car of the petitioner, I am not inclined to enlarge him on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

7. Accordingly, the application stands dismissed.

(Soni Shrivastava, J)

divyanshi/-

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

