

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12258 of 2022

Arising Out of PS. Case No.-112 Year-2021 Thana- ATHMALGOLA District- Patna

Manoj Roy @ Manoj Ray Son of Bendeshar Roy @ Vindeshvar Ray Resident
of Village- Naya Tola, Sabnima, P.S.- Athmagola, District- Patna (Bihar).

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar

For the Opposite Party/s : Mr.Navin Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 03-08-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner apprehends his arrest in connection
with Athmalgola P.S. Case No.112 of 2021 (Special Case
No.222 of 2021/Supplementary Record of Special Case No.58
of 2021), registered for the offences punishable under Sections
20(b) (ii) (B)/22 of the NDPS Act.

1.560 kg. of *Ganja* was recovered near a tea shop. It is
alleged that the petitioner was indulged in the trade of *Ganja*.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. It is further submitted that the petitioner has got no
criminal antecedent as stated in paragraph-3 of the bail
application. It is submitted that the police has recovered the



Ganja from a tea shop but the owner of the tea shop is not made accused in the case. It is submitted that the informant has previous enmity with the petitioner, therefore, the petitioner has falsely been implicated in the case. The occurrence took place on 09.06.2021, but the FIR was sent to the court on 15.06.2021. It is also submitted that there is no compliance of Section 100 Cr.P.C.

The learned APP for the State opposed the prayer for anticipatory bail of the petitioner.

Taking into consideration the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

(Anjani Kumar Sharan, J.)

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