

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10247 of 2023**

Arising Out of PS. Case No.-582 Year-2021 Thana- DHAKA District- East Champaran

SUBODH RAI @ SUBODH KUMAR SON OF BIRBAHADUR RAI R/O
VILL.- AGARAWA, P.S.- JITNA, DISTT.- EAST CHAMPARAN AT
MOTIHARI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 09-05-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in Dhaka P.S.
Case No. 582 of 2021 registered for the offences punishable
under Section 20 and 22 of the N.D.P.S. Act.

On a tip-off, 22 kilograms of Ganja was recovered
in three packets in the black colour bag kept on a motorcycle.

It is submitted by learned counsel for the petitioner
that no such occurrence as alleged ever took place. He has been
falsely implicated in this case. The allegation levelled against
the petitioner is not specific rather general and omnibus in
nature. The petitioner has been made accused in this case on
the confessional statement of co-accused, Arjun Das. Petitioner



is not the owner of the said motorcycle from which the said Ganja has been recovered. It is further submitted that there is delay of two days in lodging the F.I.R. without assigning any cogent reason. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State vehemently opposing the bail petition submitted that considering the quantity of the recovery, the petitioner does not deserve bail.

Considering the facts and circumstances of case, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

However, if the petitioner surrenders before the learned Court below within six weeks from today and seek regular bail, the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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