

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28681 of 2023

Arising Out of PS. Case No.-132 Year-2022 Thana- RAGHOPUR District- Vaishali

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Jitendra Rai Son Of Ramanuj Rai R/O-Chandpura, P.S.-RAGHOPUR, Distt.-
VAISHALI

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Ravish Mishra, Advocate

For the Opposite Party/s : Mr.Arun Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 14-07-2023 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner in the present case is seeking pre-arrest bail in connection with Raghopur P.S. Case No.- 132 of 2022 registered for the offences punishable under Sections 8/20(b)(ii)(B)/ 22 of the N.D.P.S. Act. He has got two criminal antecedents and in both the cases, he is on bail.

3. Learned counsel for the petitioner submits that on 28.04.2022 the informant along with the police searched the bags of the passengers of an auto. The lady passenger disclosed that on the instruction of Vakil Bhai, she was carrying ganja, she obtained the said seized ganja from Jitendra Rai (petitioner), resident of village- Chandpura for delivery to Vakil Bhai at Delhi Railway Station.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. It is submitted that nothing has been recovered from the conscious possession of the petitioner.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having regard to the facts and circumstances of the case, the petitioner has been named by the carrier of the ganja as the person from whom she had obtained the seized ganja and further that the petitioner has got two criminal antecedents under the Bihar Prohibition and Excise Act, 2016, this Court is not inclined to grant privilege of pre-arrest bail to the petitioner, in case, the petitioner surrenders and prays for a regular bail within a period of four weeks from today in the learned court below, his prayer shall be considered without being prejudice by the order of this Court.

7. Prayer is refused.

8. This application stands rejected.

(Rajeev Ranjan Prasad, J)

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