

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59274 of 2023

Arising Out of PS. Case No.-194 Year-2022 Thana- MANJHAGARH District- Gopalganj

SHASHI BHUSHAN GIRI SON OF SWAMINATH GIRI RESIDENT OF
VILLAGE - JAMO MATHIYA, P.S. - JAMO BAZAR, DISTRICT - SIWAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Pandey No.5

For the Opposite Party/s : Mr. Upendra Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 19-12-2023 Heard learned counsel for the petitioner and learned A.P.P.
for the State

2. The petitioner apprehends his arrest in Manjhagarh P.S. Case No. 194 of 2022 registered for the offences punishable under Sections 399, 402, 414, 420, 467, 468 and 471 of the Indian Penal Code, Sections 25 (1-b)a, 26 and 35 of the Arms Act and Sections 20, 22 and 29 of the NDPS Act.

3. The police arrested three persons, Ajay Kumar Singh, Vijay Kumar Singh and Rabbe Alam and from their possession altogether 1.601 kg of Charas like substance, 1.237 kg of siler like ornaments and 62.720 gm of gold like ornaments were recovered and the petitioner was made accused in this case on the discloser made by Ajay Kumar Singh, which was subsequently reiterated by the Vijay Kumar Singh and Rabbe



Alam.

4. 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 due to previous grudge. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. Petitioner has two criminal antecedents as mentioned in para-3 of this application.

5. Learned APP for the State vehemently opposing the bail petition submitted that considering the nature of allegations, the petitioner does not deserve anticipatory bail.

6. Considering the facts and circumstances of case as well as the fact that petitioner has also been made accused under NDPS Act, 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 in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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