

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72103 of 2022

Arising Out of PS. Case No.-294 Year-2021 Thana- DAGARUA District- Purnia

RAKESH KUMAR ROY S/o Sri Shiva Nand Roy R/v- Gunwanti, P.S.- Bausi
Basti, district- Araria

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 02-02-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 8(c)/21(a) of NDPS Act.

Altogether, 4.60 grams Smack has been recovered from the motorcycle. After seeing the police, they tried to flee away but were caught on the spot.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged ever took place. He has been falsely implicated in this case. Neither the petitioner was present at place of occurrence nor he was apprehended at the alleged place. Nothing has been recovered from conscious possession of



the petitioner. The name of the petitioner has been transpired in this case because he is the owner of the seized motorcycle which was recovered at the place of occurrence from the apprehended accused persons on the spot. It is further submitted that the petitioner has already sold the seized motorcycle by an agreement with a person. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for bail.

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

Accordingly, this application stands dismissed.

(Anjani Kumar Sharan, J)

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