

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62904 of 2024

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

Rakesh Kumar Roy @ Rakesh Kumar Ray son of Shri Shivanand Roy
Village- Gunwanti, Ward No. 02, P.O.- Gunwanti, P.S.- Bousi, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Rajpati, Adv.

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-10-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest in connection with
Dagarua P.S. Case No.294 of 2021, registered for the offence
punishable under Sections 8(c) and 21(a) of the NDPS Act.

3. Earlier the anticipatory bail application of the petitioner
was rejected by this Court on 02.02.2024 passed in Cr. Misc.
No.72103 of 2022. Now, the petitioner has filed this second
anticipatory bail application on fresh ground that after
investigation, the final form has been submitted against the
petitioner, but the learned Court below differing with the final
form took cognizance against him.

4. Learned APP for the State opposes the prayer for bail by
submitting that in view of the recent decision of the Supreme



Court in the case of *G.R. Ananda Babu vs. State of Tamil Nadu and Another* reported in *2021 SCC Online SC 176*, this second anticipatory bail application is not maintainable.

5. Considering the decision of the Supreme Court in the case of *G.R. Ananda Babu (supra)*, the second anticipatory bail application of the petitioner is not maintainable and it is accordingly, dismissed.

(Anjani Kumar Sharan, J)

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