

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69465 of 2024

Arising Out of PS. Case No.-247 Year-2023 Thana- SHAMBHUGANJ District- Banka

Golu Rai @ Golu Roy @ Priyanshu Kr. Rai @ Priyanshu Kumar Roy @ Golu Kr. Ray Son of Late Mukesh Roy @ Late Mukesh Rai village -Chhatrahar, police station -Shambhuganj, District -Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

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

2. The petitioner seeks bail in connection with Shambhuganj P.S. Case No. 247 of 2023 registered for the offences punishable under Sections 8/20(b) (II), (B) 25 and 29 of the NDPS Act.

3. It is alleged that 7.249 kilograms Ganja has been recovered from the house of co-accused Pinki Devi.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged has ever taken place. He has been falsely implicated in this case due to ulterior motive. Nothing has been recovered from the conscious or physical possession of the petitioner. The allegation levelled against him is totally false



and based on concocted facts. His name has been transpired in the present case merely because he is the son of co-accused Pinki Devi. Learned counsel further submits that at the time of alleged recovery, petitioner was not present in the house nor he was apprehended by the police on spot. He further submits that co-accused Pinki Devi and Siwam Rai have been enlarged on regular bail by a co-ordinate Bench of this Court vide order dated 08.01.2024 passed in Cr. Misc. No. 84488 of 2023 after framing of charge. Petitioner has one criminal antecedent as mentioned in para-3 of this application. He has been languishing in judicial custody since 13.08.2024.

5. Learned APP for the State opposes the prayer for bail.

6. Having regard to the facts and circumstances of the case, since charge has not been framed against the petitioner, I am not inclined to enlarge the petitioner on bail. The prayer for bail of the petitioner is hereby rejected.

7. Accordingly, the application stands dismissed.

8. However, the petitioner would be at liberty to renew his prayer for bail after framing of charge.

(Anjani Kumar Sharan, J)

divyanshi/-

U		T	
---	--	---	--

