

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77958 of 2023

Arising Out of PS. Case No.-1 Year-2022 Thana- N.C.B (GOVERNMENT OFFICIAL)
District- Gaya

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Pappu Kumar @ Pappu Jaiswal Son Of Late Shiv Nath Choudhary Resident
Of Village -GOVINDPUR Tola, Panch Bajitpur, Saidaat Ps- Bidupur Dist-
Vaishali

... .. Petitioner/s

Versus

1. Union Of India Through Director Narcotics Control Bureau, Patna Bihar
2. The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Y.C. Verma, Sr. Adv. Mr. Priyanka Singh, Adv.
For the Opposite Party/s	:	Mr. Dr K.N. Singh (Asg)
For the Union of India	:	Mr. Manoj Kumar Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 05-01-2024 Heard learned Senior Counsel for the petitioner,

learned A.P.P. for the State and learned counsel for the Union of

India.

2. The petitioner apprehends his arrest in N.C.B.

Case No. 01 of 2022 registered for the offences punishable
under Sections 8(c), 20(b)(ii)(c), 25, 29 and 35 of the N.D.P.S.
Act, pending in the Court of learned Additional Sessions Judge-
1st, Gaya.

3. Earlier by order dated 10.04.2023 passed in Cr.
Misc. No. 68860 of 2022, the prayer for anticipatory bail of the



petitioner was rejected. Now, he has renewed his prayer for anticipatory bail.

4. Altogether 702 kg *Ganja* was recovered from a truck. Two persons were apprehended by the police on spot.

5. It is submitted by learned Senior Counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged ever took place. No incriminating article has been recovered from the conscious physical possession of the petitioner rather 702 kg of *Ganja* is said to have been recovered from a truck. Petitioner has no concern either with the seized *Ganja* or the place of recovery or any trade of *Ganja*. The petitioner has two criminal antecedents as mentioned in para-3 of this application.

6. Per contra, learned APP for the State vehemently opposing the bail petitioner submitted that the allegations levelled against the petitioner is serious in nature, hence, he does not deserve privilege of anticipatory bail.

7. In such view of the matter and considering the judgment of Hon'ble Apex Court in the case of *Ananda Babu vs. State of Tamil Nadu and Another* reported in *2021 SCC online SC 176*, whereby the Court has held that the second anticipatory bail application is not maintainable, I am not



inclined to entertain his prayer once again.

8. Accordingly, this application is dismissed.

(Anjani Kumar Sharan, J)

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