

In the Court of Sessions Judge, Vaishali

A.B.P. No. 1288/2026

Srikant Ray @ Shivkant Ray, aged about 40 years S/o Bhuvneshwar Ray,
Resident of village – Purushottampur, P.S.- Rustampur, District –
Vaishali.

- Petitioner

Verses

State of Bihar

- O.P.

Appearance :-

Learned counsel for the petitioner : - Mr. Aaruni Kumar ,advocate.

Learned Special P.P. for the State : - Sri Sumit Kumar,

Present : Harshit Singh,
Sessions Judge, Vaishali.

Date of order: - 09th. June 2026

ORDER

Heard the learned defence counsel as well as learned Special Public Prosecutor on the anticipatory bail application filed on behalf of the above named accused petitioner under section 482 of B.N.S.S. who is apprehending his arrest in connection with Raghapur P.S. Case No. 61/2025 registered u/ss. 126(2), 115(2), 118(1), 140, 318(4), 61(2), 352, 351(2) of B.N.S. and sections 8, 20(B) (ii)(B) of N.D.P.S. Act.

It is stated in Para 2 of the anticipatory bail petition that earlier anticipatory bail petition of the petitioner no bail application either anticipatory or regular has been filed in the present case either before this court of Sessions or before the Hon'ble High Court, Patna.

Prosecution's case in brief as per self statement of the informant Dharmendra Kumar, S.H.O. of Rustampur P.S. is that on 09.03.2025 he got information from phone number 9263492639 that his friend Bulu Biru of Odisha State had gone to Patna for transaction in business, who was confined by Gorakh and Ravi and for release of his friend Rs.4 lakhs is being

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demanding and on non-giving of said money they are giving threat to kill his friend. On such information on 10.03.2025 informant alongwith police team proceeded for raid and during course of raid, he got information that Pramod Rai @ Gorkha, Chandan Rai, Ganesh Rai, **Shrikant Rai**, Ravi Rai all have kept Bulu Biru in the house of Gorakh Rai situated under Rustampur P.S. in village Pir Mohammadpur. Thereafter when informant was going to Pir Mohammadpur with raiding party on vehicle, then on seeing the police vehicle six persons boarded on two motorcycles started to flee turning their motorcycle. During course of fleeing, three persons boarded on one motorcycle bearing registration no. BR-01FE 0723 has fallen down and they were apprehended. The apprehended three persons disclosed their name as Ganesh Rai, Chandan Rai and Bulu Biru. On being asked, Bulu Biru disclosed that they all forcibly had kept him confined in village Pir Mohammadpur at the house of Gorkha and they were taking him at any where. On interrogation, accused Ganesh Rai disclosed the name of other persons who succeeded to flee away as Pramod Rai @ Gorkha, Ravi Rai, **Shrikant Rai @ Shivkant Rai**. Thereafter the motorcycle was seized. On interrogation Ganesh Rai also disclosed that he and other accused persons including petitioner as named in the F.I.R. used to do business of Ganja. He also disclosed that they have kept the Ganja in a bush near Kewla Ghat. Thereafter on the disclosure made by Ganesh Rai total **1 kg. 600 grams** Ganja was recovered. On being asked from Bulu Biru, he told that he has come to Patna by train on 03.03.2025 from Odisha and accused Gorakh and Ravi contacted on his mobile and they came to took him. When he went to the house of Gorakh at village Pir Mohammadpur with Gorakh and Ravi on motorcycle, then Gorakh confined him in a room and also told to tell Raju to

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come with Rs. 4 lakhs otherwise he will kill him. During inquiry, it came to know that Bulu Biru was sent by Raju to Gorakh. On the basis of the self statement of informant, this instant case was registered.

The learned counsel for the above named accused petitioner submits that the accused petitioner is innocent and has committed no offence. He has been falsely implicated in this case. No occurrence as alleged took place. The prosecution case is false and concocted. Nothing has been recovered from the conscious possession of the petitioner. There is no direct or indirect evidence to justify the involvement of the petitioner in the alleged crime. He has no concern with other accused persons. The accused petitioner has no criminal antecedent. Hence, petitioner may kindly be enlarged on anticipatory bail.

The learned Special P.P. has vehemently opposed the prayer for anticipatory bail.

Heard the parties and perused the case record alongwith the case diary. From perusal of the record and the case diary, it transpires that co-accused persons alongwith petitioner had confined one Bulu Biru of Odisha and they were demanding Rs. 4 lakhs for his release. The co-accused persons Ganesh Rai and Chandan Rai were arrested with motorcycle by the police alongwith victim Bulu Biru. Petitioner alongwith Pramod Rai @ Gorkha and Ravi Ray had fled away on another motorcycle from the spot. On disclosure made by arrested co-accused Ganesh Rai, **1 kg. 600 grams Ganja** was seized from the bush. The arrested co-accused persons have accepted before the police that they were doing business of narcotic substance "Ganja" in association with other accused persons including the petitioner.

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The arrested co-accused Ganesh Rai has confessed his guilt in his confessional statement, which is available on the trial court record and he also disclosed the name of other co-accused persons including the petitioner as his associates. Para 54 of the original case diary shows that the statement of Bulu Biru u/s 183 B.N.S.S. was recorded in which he has stated that the accused persons have kidnapped him and demanded Rs. 3 lakhs, then he informed to his family members who informed to police from Odisha and police got him released from the custody of accused persons. The informant in his re-statement in Para 4 and other witnesses in their statements in Para 5, 6 and 7 of the original case diary have supported the prosecution case. The charge-sheet has been submitted against the co-accused Chandan Kumar and Ganesh Rai. The investigation against the petitioner is still going on.

The small quantity of Ganja is 1 kg. and the commercial quantity of Ganja is 20 Kgs.. The recovered Ganja is 1 kg. 600 grams which is more than the small quantity.

Therefore, considering the aforesaid facts, circumstances of the case as well as nature of the allegations, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, the present anticipatory bail petition is hereby rejected.

(Dictated)

(Harshit Singh)
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