

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41498 of 2016

Arising Out of PS.Case No. -24 Year- 2016 Thana -RUPASPUR District- PATNA

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1. Om Prakash Kumar S/o Raj Nandan Prasad Singh resident of village -
Tillu Tola, P.S. Nauwatpur, District - Patna

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Angad Singh

For the Opposite Party/s : Mr. Sri Satyavarat Verma

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 23-09-2016

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 399, 402 of the Indian Penal Code and Section 25(1-B)a, 26, 35 of the Arms Act.

The prosecution case is that the informant Vinod Kumar being officer in-charge of Rupaspur police station received information on 29.01.2016 at 6:00 P.M that miscreants are preparing to commit dacoity when the raid was laid and eight persons namely Guddu Kumar, Dablu Kumar @ Rohit, Pintu Kumar, Nehal Ahmad, Pankaj Kumar, Ajay Kumar, Mukesh Kumar, Nawal Kishore Verma were arrested. The apprehended accused persons disclosed the name of two escaped persons as Vikash Kumar and the petitioner Om Prakash Kumar. From the apprehended accused persons arms and ammunitions, Omni vehicle and motorcycle were recovered

leading to registration of the present case.

It is submitted by learned counsel for the petitioner that petitioner was not apprehended on the spot and on mere suspicion the petitioner has been roped in the present case. There is no recovery from the petitioner. It is further submitted that accused persons who were apprehended from the spot have been granted custody bail by different Benches of this Court vide Cr. Misc. No. 21660 of 2016(Pankaj Kumar), Cr. Misc. No. 23965 of 2016(Ajay Kumar), Cr. Misc. No. 24902 of 2016(Nehal Ahmad), Cr. Misc. No. 26727 of 2016(Mukesh Kumar) as well as by learned Court below vide B.P. No. 441 of 2016(Guddu Kumar).

In view of the aforesaid facts, it is a case for consideration of prayer for bail of the petitioner, if the petitioner surrenders within a period of six weeks in connection with Rupuspur P.S. Case No. 24 of 2016, G.R. No. 329 of 2016, pending in the Court of learned Sub-Judge, II-cum-Additional Chief Judicial Magistrate, Danapur.

With the observations above, the application stands disposed of.

(Dinesh Kumar Singh, J)

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