

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16889 of 2016

Arising Out of PS.Case No. -716 Year- 2015 Thana -DANAPUR District- PATNA

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Bholu Son of Hari Rai, Resident of Village - Shaguna Naya Tola, P.O. & P.s. - Danapur, District - Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Prasad

For the Opposite Party/s : Mr. U.L.Verma(App)

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL ORDER

3 06-05-2016

1. Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State..

2.The petitioner apprehends his arrest in Danapur P.S. Case No.716 of 2015 for the offences under Sections 399, 402 of I.P.C. and Sections 25(I-B)/A/26135 of Arms Act.

3. On receipt of secret information that some miscreants are sitting in Sumo Victa vehicle to make the plan to commit crime in Anand Bazar, Danapur, the informant along with others reached near the premises to commit raid. On seeing the informant and other police personnel the miscreants immediately got down from the vehicle and started fleeing. Four of them succeeded in fleeing away and two accused persons were apprehended along with country made loaded pistol and cartridge.

Counsel for the petitioner submits that the petitioner has been made accused on the basis of confessional statement of co-accused which is not admissible in evidence. He further submits that he has no criminal antecedent.

In my view, the points raised by the petitioner are good grounds for consideration of regular bail. As the petitioner has been named as an accused by a co-accused, who was apprehended with arms, I am not inclined to grant anticipatory bail to the petitioner.

The prayer for anticipatory bail of the petitioner is rejected.

(Samarendra Pratap Singh, J)

AnilKrSinha/-