

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17705 of 2019

Arising Out of PS. Case No.-1089 Year-2018 Thana- SAHARSA District- Saharsa

MD. SAMIM, aged about 27 yrs.(M), Son of Md. Hakim Resident of Village-
Kahrakuti, Ward No. 11, Kahra, P.S. and District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha

For the Opposite Party/s : Mr.Sangeeta Sharma

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 26-03-2019 Heard both sides.

The petitioner apprehends his arrest in Saharsa Sadar
P.S. Case No.1089 of 2018 registered under Section 393 of the
Indian Penal Code and under Sections 25(1-B) a, 26 and 35 of
the Arms Act.

The informant, A.S.I. of police got information that
some persons were trying to rob the staff of Raman Gas Agency
and on such, the informant and other police officials rushed to
the place of occurrence. The informant found many persons
chasing the criminals. On chase, one Roushan Kumar was
apprehended and from his possession, one loaded country made
pistol was recovered. Roushan Kumar disclosed the name of the
petitioner and Md. Haider as his accomplices.

Mr. Sanjay Kumar Jha, learned counsel for the



petitioner submits that of course there is allegation that an attempt to rob the staff of Raman Gas Agency is made but nothing was robbed. Petitioner was not arrested on the spot. The name of the petitioner surfaced in the case on the basis of the so called disclosure made by the apprehended accused namely, Roushan Kumar but it appears that Roushan Kumar was apprehended on chase and he disclosed that he along with the petitioner and Md. Haider was trying to rob the staff of Raman Gas Agency.

Taking into consideration the facts aforesaid and nature of allegation made against the petitioner, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

If the petitioner surrenders in the court below, learned court below shall consider the prayer for regular bail of the petitioner on its own merit without being prejudiced by the order of this Court.

(Prabhat Kumar Jha, J)

Saurabh/-

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

