

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18753 of 2019**

Arising Out of PS. Case No.-144 Year-2018 Thana- AANDAR District- Siwan

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ARSHEY ALAM @ ARASHE ALAM, Son of Ahmad Hussain, Resident of
Village - Farojpur, P.S.- Andar, District- Siwan

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Prabhakar Singh
For the Opposite Party/s : Mr.Bharat Lal

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER**

4 18-06-2019 Petitioner seeks bail in anticipation of his arrest in connection with Andar P.S. Case No. 144 of 2018 registered for the offences punishable under Sections 386, 506, 34 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation as per FIR is that while the informant was returning from his shop, three miscreants came on a motorcycle and made firing on him but he anyhow escaped and on the next day he received a mobile call of demanding of Rs.5 lacs and thereafter also he received the same call.

Submission of learned counsel for the petitioner is that he is not named in the FIR and later on, on the basis of confessional statement made by co-accused he has been made accused and except that there is nothing against him and the mobile was not of the petitioner and he has no criminal



antecedent.

Heard learned APP also, who has opposed the prayer for anticipatory bail stating that on obtaining the call details of the mobile complicity of the petitioner in the crime has come.

In view of above facts and circumstances, I am not inclined to grant the privilege of anticipatory bail to the petitioner. However, if petitioner surrenders and makes prayer for regular bail, the same shall be considered on the basis of the materials available on the record.

With the above observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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