

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22484 of 2019

Arising Out of PS. Case No.-268 Year-2018 Thana- MADHAURAH District- Saran

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Bankey Ray, Son of Bhagwan Ray, Resident of Village- Katra Newaji Tola,
P.S.- Revilganj, District- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manohar Prasad Singh

For the Opposite Party/s : Mr. Aslam Ansari

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 09-04-2019 Heard learned Counsels for the petitioner and
learned APP for the State.

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

The prosecution case is that the informant being officer-in-charge of Gaura O.P. on 10.06.2018 at about 10.30 A.M., received a secret information that some miscreants have assembled and preparing to commit a dacoity, whereupon, a raid was laid. On seeing the police personnel, the accused persons tried to flee away, but on chase being made, four persons were



apprehended and from their possession illegal arms and live cartridges were recovered. It is further alleged that the apprehended co-accused Dinesh Rai, disclosed the name of the petitioner, who escaped from the place of occurrence along with other co-accused persons.

It is submitted by learned counsel for the petitioner that the petitioner was not apprehended from the place of occurrence and nothing has been recovered from the conscious physical possession of the petitioner. A statement has been made in paragraph no. 3 of the petition that the petitioner is involved in one other case.

It is submitted by learned APP for the State that the name of the petitioner sprang up on the confessional statement of co-accused Dinesh Rai.

Considering the fact that the name of the petitioner sprang up on the confessional statement of co-accused, Dinesh Rai and no recovery has been made from the conscious physical possession of the petitioner, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the



satisfaction of the learned **ACJM-VIIIth, Saran at Chapra** in connection with **Marhowrah P.S. Case No.268 of 2018**, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

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