

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25361 of 2019**

Arising Out of PS. Case No.-646 Year-2018 Thana- HAJIPUR SADAR District- Vaishali

RAHUL KUMAR Son of Upendra Rai Resident of Village -
Kiratpur Rajaram, P.S.- Bhagwanpur, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anirudh Kumar Sinha

For the Opposite Party/s : Mr.Uday Pratap Singh

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

4 30-07-2019 Heard learned counsel for the petitioner and
learned counsel representing the State.

Petitioner, in the present case, is seeking
anticipatory bail in connection with Hajipur Sadar P.S. Case
No.646 of 2018 registered for the offence punishable under
Section 414 of the Indian Penal Code and Section 25(1-b)a,
26 and 35 of the Arms Act.

Learned counsel for the petitioner submits that the
name of this petitioner has transpired in the confessional
statement of the apprehended accused and save and except



that there is no other material against him to implicate in the present case.

Learned APP for the State submits that when the police party raided the three miscreants who were riding on a motorcycle only two miscreants were apprehended, they disclose their names and on search one country made pistol and two live cartridges were recovered. They disclose the name of this petitioner and in fact the motorcycle which was seized by the police on spot belonging to this petitioner. It is thus submitted that there are some materials available in the case diary to support the participation of the petitioner.

Having heard learned counsel for the petitioner and learned counsel for State finding that the motorcycle of the petitioner was found involved when two apprehended accused disclose the name of this petitioner and the person who fled away when the raid was conducted as also that there are two cases on the head of the petitioner as stated in paragraph 3 of the application, this Court is not inclined to grant anticipatory bail to the petitioner.

This application is dismissed.



In case the petitioner surrenders in the court below within a period of four weeks from today and prays for regular bail, the same shall be considered by the court below on its own merit without being prejudiced by the order of this Court.

(Rajeev Ranjan Prasad, J)

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