

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27841 of 2019

Arising Out of PS. Case No.-318 Year-2013 Thana- PATLIPUTRA District- Patna

Prashant Kumar, aged about 36 years, gender-Male, Son of Late Yashodanand Singh, Resident of Village-Larua, P.S.- Tajpur, District- Samastipur.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Vinay Ranjan, Advocate

For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 29-04-2019 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 420, 467, 468, 471, 120(B) and 34 of the Indian Penal Code and Sections 25(1-b)a, 26, 27, 30 and 35 of the Arms Act registered in connection with Patliputra P.S. Case No. 318 of 2013.

3. It is submitted that the petitioner has been falsely implicated merely because he happens to be one of the partners of the firm-Indofast Security and Manpower Supplier, which had supplied a Security Guard, namely, Akhilesh Kumar to C.M.S Company whose licence had not been entered in the District O.D. Register. It is further submitted that the petitioner was Incharge of getting contract from the firm by Om Prakash Gupta who had role to supply the man powers and it was he who had submitted the requisite documents on 09.09.2013 before the police. So the petitioner has not been named in the FIR and about 5 years after the alleged occurrence, requisition for issuance of non-bailable warrant against him has been submitted. The petitioner claims clean antecedents.

4. Having regard to the nature of accusations and gravity



of offence alleged, this Court is not inclined to grant anticipatory bail to the petitioner. The anticipatory bail petition stands dismissed.

5. Considering the submission of the petitioner that other co-accused persons including the aforesaid Security Guard, namely, Akhilesh Kumar have been granted bail by this Court, if the petitioner surrenders and seeks regular bail before the learned trial Court the same shall be considered on its own merit in accordance with law and without being prejudiced by any observation in the present order.

(Vikash Jain, J)

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