

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32502 of 2019

Arising Out of PS. Case No.-354 Year-2018 Thana- DESARI District- Vaishali

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RATNESH BHARTI @ RATAN BHARTI @ RATNESH KUMAR BHARTI
S/o Umanath Bharti R/o Village- Panapur Bateshwar Nath, P.S.- Jandaha,
District- Vaishali at Hajipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vasant Vikas

For the Opposite Party/s : Mr.Ashok Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 16-05-2019 This application, for grant of anticipatory bail, arises out of Desari (Sahdei) P.S. Case No. 354 of 2018, disclosing offences under Sections 399, 402, 414 and 34 of the Indian Penal Code and Section 25(1-b)a, 26 and 35 of the Arms Act and Section 30(A) of Bihar Prohibition and Excise Act.

Prosecution case is that police on information that some persons have assembled in the orchard and are preparing for dacoity and on the information, police reached there and on seeing the police party miscreants started fleeing away, however, police succeeded in arresting three persons and from them one country made pistol and two cartridges were recovered and apart from that one Samsung Mobile was also recovered and one of the apprehended accused disclosed the



name as Gautam Kumar and from his possession 350 M.L. foreign liquor was recovered and they disclosed that they used to commit loot paat and they also named the petitioner and others as their associates.

Submission of learned counsel for the petitioner is that save and except the confessional statement of co-accused, there is absolutely nothing against the petitioner and he has falsely been implicated in this case

Heard learned A.P.P. also.

Having heard both sides, considering the facts and circumstances as well as the fact that petitioner is an accused in one more case of similar nature, I am not inclined to grant the privilege of anticipatory bail to the petitioner rather petitioner, if so desire, may move for grant of regular bail before the court below and if any such application is filed, the court below will dispose of the same on the merit of the case, without being prejudiced by this order.

This application is, accordingly, dismissed

(Vinod Kumar Sinha, J)

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