

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35607 of 2019

Arising Out of PS. Case No.-59 Year-2019 Thana- MANER District- Patna

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DIKESH KUMAR @ DIKESH KUMAR SINGH @ VIKASH KUMAR Son
of Devendar Prasad @ Devendar Prasad Singh Resident of Village - Tikaitpur,
P.S.- Bihta, Dist- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ghanshyam Tiwary
For the Opposite Party/s : Mr.Anita Kumari Singh

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 13-08-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections 390, 402 of
the Indian Penal Code and Sections 25(1-b)a, 26, 35 of the Arms
Act.

The prosecution case as lodged by the informant is
that on 28.01.2019 he got secret information that accused
Dikesh Kumar Singh along with his associates, armed with
deadly weapons are making plan to commit dacoity at Sarai
Bazar. The informant conveyed this information to his higher
officer and he along with armed forces proceeded for Sarai
Bazar and started raiding and in course of raiding he saw 8-10



miscreants were assembled near the pucca road at Sarai Bazar and after seeing the police, the miscreants started to flee. The police chased the miscreants and caught hold one of them with arms and ammunition but others fled away. The arrested accused told his name to the police as Jai Prakash and in course of search, the police recovered and seized one double barrel gun and 37 live cartridges and 12 bore from his possession. Thereafter, the police searched out to the nearby place and one Innova car of merun colour, and one country made loaded pistol and five live cartridges were also recovered from the box of that car. On inquire, the accused Jai Prakash stated the name of other accused persons as Dikesh Singh (petitioner) Pankaj Kumar, Parmod Singh and Chotu Kumar. Accused Jai Prakash further stated before the police that the recovered Innova and country made pistol are of Dikesh Kumar Singh.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in the aforesaid case due to land dispute. He further submits that there is no recovered from the possession of the petitioner.

Considering the fact that the petitioner has nine criminal antecedent as stated in para-3 of the bail petition, I am not inclined to enlarge the petitioner on anticipatory bail.



Accordingly, his payer for anticipatory bail is rejected in connection with Maner P.S. Case No. 59 of 2019 from the court of the learned Judicial Magistrate, 1st Class, Danapur, Patna.

Accordingly, the application is dismissed.

(Anjani Kumar Sharan, J)

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