

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48575 of 2019

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

PRAKASH SAH Son of Kanhaiya Sah @ Kanhaiya Resident of Village -
Dahiyawan, P.S.- Chapra Town, Distt - Saran (Chapra)

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary

For the Opposite Party/s : Mr.Atul Chandra

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 05-08-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Marhowrah (Gaura O.P.) P.S. Case No. 268 of 2018 for the offence under Sections 399 and 402 of the Indian Penal Code and Sections 25(1-b)a, 26 and 35 of the Arms Act.

Learned counsel appearing on behalf of the petitioner has submitted that his implication is merely on the basis of confessional statement of co-accused, who were apprehended, and in view of unsubstantiated allegation that the persons apprehended were preparing to commit dacoity, the petitioner deserves the privilege of anticipatory bail.

Since the petitioner has criminal antecedent, as disclosed in paragraph 3 of the application, I am not inclined to grant him privilege of anticipatory bail. This application is rejected.



The petitioner is directed to surrender before the Court below within a period of four weeks from today and seek regular bail, if so advised. If he does so, his application for regular bail shall be considered by the learned Court below on its own merit without being prejudiced by rejection of present application for grant of anticipatory bail.

(Chakradhari Sharan Singh, J)

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