

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46201 of 2019

Arising Out of PS. Case No.-32 Year-2014 Thana- KESARIA District- East Champaran

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SURAJ RAI Son of Sukhdeo Rai Resident of Village - Singhaila Junaida,
P.S.- Motipur, Distt - Muzffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Dwivedi

For the Opposite Party/s : Mr.Raj Kishore Singh

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 26-09-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner in this case is seeking anticipatory bail in connection with Kesariya P.S. Case No.32 of 2014 registered for the offences punishable under Sections 328 and 395 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case as nothing incriminating has been recovered from his possession. Learned counsel submits that the name of this petitioner has transpired in the confessional statements of the co-accused.

Learned APP for the State has opposed the prayer for anticipatory bail.

Considering the facts and circumstances of the case



whereunder the name of the petitioner though transpired in the confessional statement of the co-accused but the case was registered in the year 2014 and the confessional statement was also recorded at the same time, the fact that the petitioner is moving this Court for grant of anticipatory bail after a period of five years and further that he has got criminal antecedent as recorded in paragraph 3 of this application, this Court is not inclined to grant anticipatory bail to the petitioner.

The application is dismissed.

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

(Rajeev Ranjan Prasad, J)

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