

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59630 of 2019

Arising Out of PS. Case No.-94 Year-2019 Thana- ABADPUR District- Katihar

SAMIRUDDIN @ SAMIR @ SAMIRHAPDIN, aged about 34 years, Male,
Son of Md. Hajari @ Abdul Hai, Resident of Village Barsoi Bazar, Sultanpur,
P.S.- Barsoi, Dist.- Katihar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhay Kumar Singh
For the Opposite Party/s : Mr.Sangeeta Sharma

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 25-09-2019 Heard Mr. Abhay Kumar Singh, the learned counsel

appearing on behalf of the petitioner and the learned Additional

Public Prosecutor.

The petitioner apprehends his arrest in Abadpur P.S.

Case No.94 of 2019, registered under Sections 399, 402 and 414

of the Indian Penal Code and under Sections 25(1-b)a/26/35 of

the Arms Act.

The informant, S.H.O. of Abadpur P.S., got

information that some persons had assembled in the premises of

a school for committing cognizable offence. Raid was

conducted and five persons were apprehended. From their

possession arms and ammunition were recovered. The

apprehended accused disclosed the name of their accomplices



including the petitioner who managed to flee away from the place of occurrence.

Mr. Abhay Kumar Singh, the learned counsel for the petitioner submits that save and except the disclosure made by the co-accused, that too before the police, there is absolutely no tangible evidence against the petitioner. Nothing has been recovered from the conscious possession of the petitioner but it appears that the petitioner has already got criminal antecedents and he is accused in two other criminal cases registered under Sections 379 and 411 of the Indian Penal Code. The name of the petitioner surfaced in the case on the spot itself from the mouth of the apprehended accused from whose possession arms and ammunition and the stolen articles were recovered.

Taking into consideration the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

(Prabhat Kumar Jha, J)

S.KUMAR/-

U		T	
---	--	---	--

