

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.61761 of 2018

Arising Out of PS. Case No.-96 Year-2017 Thana- NAUTAN District- Siwan

Ravi Kumar @ Ravi Kumar Ray S/o Jay Prakash Ray, R/o Vill.- Mirzapur,
P.S.- Hathua, District- Gopalganj.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arbind Kumar Singh

For the Opposite Party/s : Mr.Md. Arif

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 25-01-2019 The petitioner seeks bail in anticipation of his arrest in connection with Nautan P.S. Case No. 96 of 2017 dated 03.06.2017 instituted for the offences under Sections 382, 34 of the Indian Penal Code.

The learned counsel for the petitioner has submitted that the F.I.R is against unknown and the name of the petitioner has transpired only in the confession of an arrested accused person. He further submits that the person who has confessed before the Police, taking the name of the petitioner, has specifically stated that six persons have waylaid the informant. However, the informant in the F.I.R has clearly stated that three persons stopped his motorcycle and divested him of his belongings.

Since the petitioner was named in the confessional



statement of a co-accused person, I was inclined to grant anticipatory bail to him but for the fact that he was earlier made accused in a case under Sections 399 & 402 of the Indian Penal Code and 25(a)B/26/35 of the Arms Act.

Even though the petitioner is on bail in the aforementioned case, I am not inclined to grant anticipatory bail to the petitioner in the present case.

The prayer for anticipatory bail is rejected.

However, if the petitioner surrenders before the Court below and prays for bail, the Court below shall take into account that his implication in the present case is only on the basis of confession and in the earlier case in which the petitioner has been made accused, he has been granted bail and shall pass orders in accordance with law without being prejudiced by the fact that the present anticipatory bail of the petitioner has not been entertained.

With the aforesaid the petition is disposed off.

(Ashutosh Kumar, J)

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