

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2082 of 2019

Arising Out of PS. Case No.-376 Year-2017 Thana- JOKIHAT District- Araria

Alam @ Alamgir, son of Khalil Resident of Village-Dalmalpur, P.O.-
Dalmalpur, Panchyat- Dalmalpur, Anchal- Dalmalpur, District- Purnia. (Baisi)
... .. Petitioner

Versus

The State of Bihar Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr.Vikram Singh, Advocate

For the Opposite Party/s : None

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 21-01-2019 Heard learned counsel for the petitioner.

The petitioner apprehends his arrest in connection with Jokihat (Mahalgaon), P.S. Case No. 376/17 registered for the offences punishable under Sections 395, 397, 412 of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioner submits that the name of this petitioner has transpired in the confessional statement of the co-accused and save and except that there is no material to connect him with the present case. Learned counsel further submitted that if the privilege of anticipatory bail is granted to the petitioner, he would present himself as and when required for test identification parade.

No one appears on behalf of the State to oppose this application.

On going through the materials particularly the



impugned order of learned 2nd Additional Sessions Judge, Araria, this Court finds that there are allegations wherein 7-8 miscreants armed with deadly weapons threatened the informant and entered into his house by breaking the door and committed dacoity. The name of the petitioner has transpired in the confessional statement of co-accused Nasim and Jahangir who have not only confessed their guilt but have also described the role of this petitioner. The informant and other material witnesses have also supported in course of investigation.

The prayer for regular bail of two ladies co-accused have been rejected earlier by the court below.

In the given facts and circumstance, this Court is not inclined to grant anticipatory bail to the petitioner, accordingly his such prayer stands refused. In case the petitioner surrenders within a period of four weeks from today and prays for regular bail, the prayer of regular bail of the petitioner shall be considered by the court below on the basis of the materials available on the record without being prejudiced by the present order.

(Rajeev Ranjan Prasad, J)

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