

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10636 of 2020

Arising Out of PS. Case No.-199 Year-2019 Thana- RAJAPAKAR District- Vaishali

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SUNIL KUMAR @ SUNIL RAI S/o Lalbabu Ray R/o village- Teliya Banarsi
Chowk, P.S.- Rajapaker, District- Vaishali at Hajipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Radha Mohan Singh

For the Opposite Party/s : Mr. Ram Bilash Roy Raman

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 01-07-2020 Heard learned Counsel for the petitioner and learned

Additional Public Prosecutor representing the State, through

Video Conferencing.

This application, for grant of anticipatory bail, arises
out of Rajapakar Police Station Case No. 199 of 2019,
disclosing offences under Sections 399/402 of the Indian Penal
Code and Sections 25(1-b)a/26/35 of the Arms Act.

The prosecution case is that the police, on the basis of
secret information that some miscreants have assembled near
the highway and were planning to commit dacoity, proceeded
towards the place of occurrence and upon seeing the police
party, some persons succeeded in fleeing away, however the
police arrested three persons, from whose possessions, arms and
ammunition were recovered and the arrested persons disclosed



the name of the petitioner and others as their accomplices.

Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case on the basis of the confessional statement made by the arrested co-accused persons. He also submits that the petitioner has been made accused in three other criminal cases, being Rajapakar Police Station Case No. 200 of 2019 instituted under Section 414/34 of the Indian Penal Code, Jandaha Police Station Case No. 185 of 2019 instituted under Section 395 of the Indian Penal Code and Samastipur Sarairanjan Police Station Case No. 116 of 2019 instituted under Sections 392/412/120-B of the Indian Penal Code on the basis of the said confessional statement. He submits that similarly situated co-accused, Vidya Bhushan Rai, has been granted anticipatory bail by this Court by order, dated 24.01.2020, passed in Criminal Misc. No. 86452 of 2019.

Having regard to the submissions made on behalf of the parties and taking into consideration the fact that the police raided the house of the petitioner and recovered looted articles from his house, for which a separate First Information Report, being Rajapakar Police Station Case No. 200 of 2019 has been lodged against the petitioner and others under Section 414/34 of the Indian Penal Code and the petitioner is accused in two other



criminal cases of similar nature, as mentioned above, I am not inclined to grant the petitioner privilege of anticipatory bail.

This application is, accordingly, dismissed.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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