

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)  
CRIMINAL MISCELLANEOUS No.25979 of 2020**

Arising Out of PS. Case No.-86 Year-2018 Thana- CHAPRA MUFFASIL District- Saran

VIKASH KUMAR @ VIKASH KUMAR RAI @ TONU Son of - Jagarnath  
Rai Resident of Village- Naini (North Tola), P.S.- Chhapra Muffasil, District-  
Saran (Chhapra).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Alok Kumar Alok

For the Opposite Party/s : Mr.Anand Kishore Chaudhary, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD  
ORAL ORDER**

2      15-10-2020              Learned counsel for the petitioner undertakes to  
  
remove the defects, if any, within four weeks after start of  
  
normal functioning of the Court.

Heard learned counsel for the petitioner and Mr.  
  
Anand Kishore Choudhary, learned A.P.P. for the State.

Petitioner, in the present case, is seeking pre-arrest  
  
bail in connection with Chhapra Muffasil P.S. Case No.86/2018  
  
registered for the offence under Section 394 of the Indian Penal  
  
Code.

Learned counsel for the petitioner submits that though  
  
the petitioner is not named in the F.I.R. but his name has  
  
transpired in the confessional statement of co-accused Rahul  
  
Kumar Singh @ Kallu. It is further submitted that co-accused



Ajit Rai has been granted by this Hon'ble Court and co-accused Rahul Kumar Singh @ Kallu has also been granted bail.

Learned A.P.P. for the State submits that the petitioner is moving this Court for anticipatory bail after two and half years of the alleged occurrence and as it appears from the impugned order co-accused Rahul Kumar Singh on whose confessional statement the name of the petitioner has transpired was arrested with an illegal arm and then he disclosed that he along with the petitioner had snatched the mobile and motorcycle of the informant on gun point. On the basis of his statement the looted mobile was also recovered.

Having regard to the facts and circumstances of the case and the materials which are noticed from the order dated 28.09.2019 passed by learned Additional Sessions Judge – X, Saran at Chapra in ABP No. 2952/2019, this Court is not inclined to grant anticipatory bail to the petitioner.

Prayer for anticipatory bail of the petitioner is, thus, refused.

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



It is made clear that the observations of this Court  
hereinabove shall not be construed as granting any interim  
protection to the petitioner.

**(Rajeev Ranjan Prasad, J)**

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

