

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22206 of 2020

Arising Out of PS. Case No.-552 Year-2019 Thana- HAJIPUR SADAR District- Vaishali

Saddam, Aged about 25 years, Male, S/o Md. Ali Hasan, Resident of Hathsarganj, Hajipur, P.S.-Hajipur, District-Vaishali.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhola Prasad, Advocate

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 17-08-2020 Heard Mr. Bhola Prasad, the learned counsel appearing on behalf of the petitioner and Mr. Suresh Prasad Singh, the learned Additional P.P. on the petition.

The petitioner apprehends his arrest in Hajipur Sadar P.S. Case No.552 of 2019, registered under Sections 307, 353, 412, 414 and 34 of the Indian Penal Code and 27 of the Arms Act.

The informant in sum and substance alleged that he got information from his higher official that some miscreants-accused persons committed dacoity at Belkunda and the dacoits were fleeing away towards Hajipur. After having received such information, the informant and other police officials reached at Rangeela Chowk and saw that two motorcycles were coming. The police signaled them to stop but the motorcyclists started



fleeing away towards village Subhai. Two of the criminals managed to flee away. The police apprehended two persons, namely, Rahul Kumar Singh and Raja @ Prince @ Sarfaraj who fell down from the motorcycle. From their possession, looted ornaments and cash were recovered. Raja @ Prince @ Sarfaraj disclosed that the petitioner and others committed dacoity.

Learned counsel for the petitioner submits that save and except the confession of the co-accused, Raja @ Prince @ Sarfaraj in which the name of the petitioner surfaced, there is no any tangible material to show the involvement of the petitioner. Rahul and Sarfaraj, the apprehended accused, were granted regular bail by a co-ordinate Bench of this Court. The case of the petitioner stands on better footing but it appears that the apprehended accused persons, who fell down from the motorcycle while they were fleeing away, disclosed the name of the petitioner as one of the participants in the dacoity and looted articles, cash etc. were recovered from the apprehended accused persons. The apprehended accused on the spot disclosed the name of the petitioner who managed to flee away.

Considering 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.



If the petitioner surrenders in the court below, the learned court below shall consider the regular bail of the petitioner taking into consideration the facts that the apprehended accused persons have already been enlarged on bail and dispose of the bail of the petitioner preferably on the same day.

(Prabhat Kumar Jha, J)

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