

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29912 of 2020

Arising Out of PS. Case No.-232 Year-2019 Thana- SARAI District- Vaishali

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ROHIT KUMAR @ ROHIT YADAV S/o Raju Ray @ Raj Kumar Ray @
Raju Yadav R/o Vill.-Ghurdaur Pokhar, Dighi Purvi, P.S.-Hajipur Sadar,
Distt.-Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mrityunjay Kumar

For the Opposite Party/s : Mr. Khursid Anwar

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 18-12-2020 Heard learned Counsel for the petitioner and learned

Additional Public Prosecutor for the State, through video

conferencing.

This application, for grant of anticipatory bail, arises

out of Sarai Police Station Case No. 232 of 2019, disclosing

offence under Sections 394 of the Indian Penal Code and

Sections 27 of the Arms Act.

The allegation, as per the First Information Report, is

that the informant was on his way to Patna from Dhanbad by his

scorpio vehicle, when he was accosted by four persons riding on

two motorcycles and they started indiscriminate firing upon the

informant. It has further been alleged that the informant

received two bullet injuries on the right side of the head and



right side of the waist. The miscreants took away the scorio vehicle of the informant after throwing him on the road.

Learned Counsel for the petitioner submits that the petitioner has got no criminal antecedent and his name has transpired on the basis of the confessional statement made by the arrested co-accused, Sumit Kumar. He further submits that his name has been disclosed by the arrested co-accused with oblique motive inasmuch as the father of the petitioner had lodged a case against the co-accused, whose confessional statement was recorded by the police.

On the other hand, learned Additional Public Prosecutor vehemently opposes the prayer for anticipatory bail and submits that the petitioner has been specifically named by the arrested co-accused and the case is under investigation and the custodial interrogation of the petitioner may be required by the police. He further submits that the petitioner does not deserve the privilege of anticipatory bail.

Having regard to the submissions made on behalf of the parties and taking into consideration the fact that the case is still under investigation and the police may require the physical presence of the petitioner for further investigation, 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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