

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13213 of 2022**

Arising Out of PS. Case No.-469 Year-2021 Thana- BAGHA District- West Champaran

Jai Prakash Singh S/O Vijay Shankar Singh Resident Of Village-
Kharpokhara, Ward No.15, P.S.- Bagaha, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kundan Rathore@ Kundan Kumar

For the Opposite Party/s : Mr.Madan Kumar

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

3 18-10-2022 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 341, 323, 504, 506/34 of the Indian Penal Code and Section 25(1-B) a, 26, 35 of the Arms Act.

The prosecution case as per F.I.R is that on 11.09.2021 at about 7:00 P.M, the informant along with his son was dealing business of his sweet shop. In the meantime, the petitioner and other accused persons named in the F.I.R came at his shop and started abusing him and his son and also threatened to kill them and



when the informant made protest, the petitioner pointed pistol upon him. On hulla, the other shopkeepers of the vicinity assembled and thereafter the informant caught hold the petitioner and snatched his pistol. However, taking advantage of the gathering, the petitioner and other co-accused persons fled away.

It is submitted by learned counsel for the petitioner that petitioner has falsely been implicated in this case due to previous enmity and punchayat election. The petitioner was not apprehended from the spot. Nothing has been recovered from the conscious possession of the petitioner. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

In contra, learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for anticipatory bail of the petitioner and submitted that country made pistol was recovered from the conscious possession of the petitioner and the witnesses have also



supported the case of the prosecution.

In the facts and circumstances of the case, this Court is not inclined to grant privilege of anticipatory bail to the petitioner.

The prayer for grant of anticipatory bail to the petitioner stands rejected.

(Sunil Kumar Panwar, J)

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