

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16396 of 2022

Arising Out of PS. Case No.-179 Year-2021 Thana- PATEPUR District- Vaishali

BAIJU KUMAR Son of Hareram Singh Resident of Village - Gauspur, P.s.-
Dalsinghsarai, Distt.- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Bhushan Prasad
For the Opposite Party/s : Mr.Sanjay Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 27-09-2022 Heard learned counsel for the petitioner and the State.

Petitioner apprehends his arrest in a case registered for the offence punishable under Section 399, 402 of the Indian Penal Code and u/s 25(1-b)a, 26, 35 of Arms Act.

As per the prosecution case, on secret information about the accused persons having gathered and planning to give effect to an occurrence, a raid was conducted and seven persons were apprehended who disclosed the name of petitioner as one of their associates.

Learned counsel appearing for the petitioner submits that petitioner is not named in the FIR. The name of petitioner has come in this case during the course of investigation in the disclosure statement of co-accused, who were apprehended on the spot with arms and ammunition. No incriminating article has



been recovered from the possession of the petitioner.

Learned counsel appearing for the State opposes the prayer for anticipatory bail and submits that petitioner has got criminal antecedent of five cases.

Considering the nature of accusation, gravity of the offence as well as criminal antecedent of the petitioner, I am not inclined to enlarge the petitioner on pre arrest bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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