

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46191 of 2021**

Arising Out of PS. Case No.-643 Year-2020 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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Gaurav Kumar @ Guddu S/O- Mauje Ray @ Manjay Ray Resident of
Village- Madhopur Susta, P.S.- Maniyari, District- Muazaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anish Chandra, Advocate
For the Opposite Party/s : Mr. A.G.

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 14-06-2022 Heard Mr. Anish Chandra, learned counsel for the

petitioner as well as learned Additional Public Prosecutor for the

State.

The petitioner apprehends his arrest in connection
with Muzaffarpur Sadar P.S.Case No. 643 of 2020 registered for
the offences punishable under sections 379, 382, 411, 307,
326/34 of the Indian Penal Code.

As per the prosecution case, it is alleged that while the
informant and his friend was sitting in his house all of a sudden,
he heard some sound and when he came out from his house,
saw three persons were fleeing away with the motorcycle. It is
alleged that informant and his friend apprehended two of them
after some scuffle, thereafter, apprehended persons disclosed the



name of this petitioner.

It is submitted on behalf of the learned counsel for the petitioner that petitioner has absolutely clean antecedent and his name has been transpired on the statement of co-accused with whom he had inimical terms.

On the other hand, learned counsel for the State opposes the bail application of the petitioner.

Having considered the fact that the name of the petitioner has been disclosed by co-accused which suggests the complicity of this petitioner in the said occurrence, and moreover, cognizance has been taken in the case. This Court is not persuaded to enlarge the petitioner on anticipatory bail. Accordingly, the anticipatory bail application of the petitioner stands rejected.

However, it is made clear that if the petitioner surrender before the court below within six weeks from today and makes prayer for regular bail, the learned court below shall consider the regular bail of the petitioner without being prejudice to the present order.

(Harish Kumar, J.)

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