

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38113 of 2022

Arising Out of PS. Case No.-08 Year-2020 Thana- DESARI District- Vaishali

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Raushan Kumar @ Raushan Rai Son Of Sudhir Ray @ Sudhir Kumar R/O
Village- Madhaul, P.S.- Desari (CHANPURA O.P.), Distt.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surendra Kishore Thakur

For the Opposite Party/s : Mr. Lakshmi Kant Sharma

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 15-11-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner undertakes to remove the defects within three weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 120(b) of the Indian Penal Code read with Sections 25(1-b)A, 26 and 35 of the Arms Act pending in the Court of learned Additional Chief Judicial Magistrate-IV.

As per the prosecution case, in brief, on 08.01.2020 in course of Special patrolling duty the informant received an informant that some arms miscreants were sitting at Jogibaba



Asthan in the Rampur Kishani and they were taking marijuana at the said place.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He submits that apprehended person disclosed the name of the petitioner. He submits that no any incriminating arm has been recovered from the conscious possession of the petitioner. He further submits that petitioner have six criminal antecedents as stated in para-3 of this application.

Per contra, learned APP for the State vehemently opposing the bail petition submitted that the allegations levelled against the petitioner are serious in nature, hence he does not deserve anticipatory bail.

Considering the facts and circumstances of the case and the fact that petitioner has six criminal antecedents, I am not inclined the enlarge the petitioner on bail in connection with Desari P.S. Case No.08 of 2020. Accordingly, his prayer for anticipatory bail is hereby rejected.

(Anjani Kumar Sharan, J)

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