

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38865 of 2022

Arising Out of PS. Case No.-27 Year-2021 Thana- DESARI District- Vaishali

Raushan Kumar @ Raushan Rai Son Of Sudhir Ray @ Sudhir Kumar
Resident Of Village - Madhaul, P.S.- Desari (Chandpura O.P.), District -
Vaishali

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surendra Kishore Thakur

For the Opposite Party/s : Mr.Bal Mukund Prasad Sinha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 07-12-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Desari P.S. Case no. 27 of 2021 instituted for the offence
punishable under Sections 399, 402, 414/34 of the Indian Penal
Code and Sections 25(1-b)A, 26 & 35 of the Arms Act.

Prosecution case is that when the informant with
police party reached at the house of co-accused namely,
Ramswarup Rai, they saw some persons tried to flee away but
after that two persons were apprehended on the spot who
disclosed the name of the petitioner. It is further submitted that
some country made pistols with live cartridges and a car bearing
Registration No. WB06F-8658 were recovered from there.



Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this case. It is further submitted that the name of the petitioner has been disclosed in this case on the confession made by co-accused persons who were apprehended on spot.

Learned APP appearing for the State has opposed the prayer of bail and submitted that the petitioner has got total six criminal antecedents.

Having heard learned counsel for the parties and taking into consideration that petitioner has several antecedents, I am not inclined to grant bail to the petitioner and, as such, his prayer for bail is rejected.

This application stands disposed off.

However, if the petitioner surrenders and prays for regular bail, the same may be considered by the court below on its own merit without being prejudiced by this order of rejection.

(Sunil Kumar Panwar, J)

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