

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40983 of 2022

Arising Out of PS. Case No.-116 Year-2021 Thana- DESARI District- Vaishali

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Raushan Ray @ Raushan Kumar 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

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Appearance :

For the Petitioner/s : Mr.Surendra Kishore Thakur

For the Opposite Party/s : Mr.Chandra Bhushan Prasad

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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. 116 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
Arms Act.

Prosecution story is that after getting the
information the informant along with police officials
reached near Baswari situated at Rampur Kichni village, on
seeing the police party the accused persons tried to flee



away but two were apprehended later who disclosed the name of the petitioner. It is further alleged that they were making plan to loot CSP and after that one country made pistol and live cartridge were recovered from them.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been made accused in this case. It is further submitted that the name of the petitioner came into light on the basis of confessional statement of co-accused persons who were apprehended on spot. Neither the petitioner was arrested nor any weapon recovered from his conscious possessions.

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 the petitioner has got several criminal 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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