

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41281 of 2022

Arising Out of PS. Case No.-81 Year-2022 Thana- RIGA District- Sitamarhi

PAPPU KUMAR SAH S/O SHAILENDRA SAH Resident of village-
Ramnagra, P.S.- Riga, District- Sitamarhi.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hans Lal Kumar

For the Opposite Party/s : Mr.Binod Kumar

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 Riga P.S. Case no. 81 of 2022 instituted for the offence punishable under Sections 399, 402 and 414 of the Indian Penal Code and Section 25(1-B)A/26/35 of the Arms Act.

Prosecution case relates to recovery of arms from the accused persons. They disclosed the name of petitioner, who managed to escape.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. The name of the petitioner has been disclosed in this case by apprehended accused persons before the police which



has no evidentiary value in the eye of law. Neither the petitioner was arrested nor any incriminating article has been recovered from his possession.

Learned APP appearing for the State has opposed the prayer of bail and submitted that petitioner is a habitual offender and six criminal cases is pending against him.

Having heard learned counsel for the parties and taking into consideration that petitioner is habitual offender, 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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