

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51169 of 2021**

Arising Out of PS. Case No.-256 Year-2021 Thana- DARIYAPUR District- Saran

RAKESH RAI @ RAKESH KUMAR S/o YOGENDRA RAY R/o
VILLAGE-PARSHURAMPUR MASTICHAK, POLICE STATION-
DARIYAPUR, DISTRICT-SARAN (CHAPRA).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sachida Nand Rai, Adv.

For the Opposite Party/s : Mr.Atul Chandra, Adv.

**CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH
SHARMA**

ORAL ORDER

2 16-02-2022 Heard the parties through video conferencing.

The petitioner apprehends his arrest in connection with Dariyapur P.S. Case No. 256 of 2021 registered for the offence under Sections 399, 402 of the Indian Penal Code and Sections 25 (1-b) a, 26, 35 of the Arms Act.

Learned counsel for the petitioner submits that the petitioner has also been sought to be arrested on the basis of statement of co-accused under Sections 399, 402 of the IPC. The petitioner does not have any criminal antecedent.

Keeping in view the same, merely because on the statement of co-accused, the police cannot ascertain that the petitioner has committed offence under Sections 399 and 402 of the IPC, I am inclined to grant benefit of anticipatory bail to the



above named petitioner and in the event of arrest he shall be released on bail, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Sanjeev Prakash Sharma, J)

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