

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40969 of 2020

Arising Out of PS. Case No.-200 Year-2019 Thana- RAJAPAKAR District- Vaishali

VIDYA BHUSHAN RAI SON OF SHRI LAL BABU RAY R/O VILLAGE-
BAKARPUR, P.O. CHAK SIKANDAR, P.S.- RAJA PAKAR, DISTRICT-
VAISHALI, PIN CODE-844115.

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kishun Chand Kumar Sinha
For the Opposite Party/s : Mrs. Renuka Ratnakar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 25-01-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual Court proceedings.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the office, within a period
of four weeks.

The petitioner apprehends his arrest in Raja Pakar
P.S. Case No. 200 of 2019 registered for the offences
punishable under Section 414/34 of the Indian Penal Code
pending in the Court of learned Additional Chief Judicial
Magistrate-XIII, Hajipur, Vaishali.

On the confessional statement of co-accused Anil
Rai, when the police party along with other co-accused raided
the house of co-accused, Sandeep Rai and the petitioner, from



the house of the petitioner various types of chocolate jar and packet of chocolate are said to have been recovered.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has been falsely implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. Petitioner's name surfaced in this case on the confessional statement of co-accused which has no evidentiary value in the eye of law. Petitioner bears eight criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State vehemently opposing the bail petition submitted that petitioner is one of the gang member, who are involved in such type of cases and considering his criminal antecedent, he does not deserve for anticipatory bail.

Considering the facts and circumstances of case and particularly considering the criminal antecedents, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected. However, the petitioner is directed to surrender before the learned Court below within six weeks from today and seek regular bail and the learned Court below would pass order on



the same day in accordance with law without being prejudiced
by this order.

(Anjani Kumar Sharan, J)

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