

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9826 of 2023

Arising Out of PS. Case No.-546 Year-2022 Thana- KOILWAR District- Bhojpur

1. JIUT RAI Son of Bhikhari Rai Resident of Village - Neknam Tola, P.S.- Barahra, District - Bhojpur.
2. Budhan Rai Son of Jawahir Rai Resident of Village - Neknam Tola, P.S.- Barahra, District - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Awadhesh Kumar Pandey, Adv.
For the Opposite Party/s : Mr.Khurshid Anwar, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 20-04-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 386, 387, 414, 120(B)/34 of the Indian Penal Code and under Sections 25(1-b)a/26/35 of the Arms Act.

Allegedly, on the basis of the secret information, the police party reached the spot. After seeing the police party, they started fleeing away but on chase, one of them was apprehended and disclosed his name as Lalis Rai. On search, a single Barrel Rifle with magazine containing five cartridges, four motorcycles



and other incriminating articles have been recovered. The apprehended co-accused disclosed the name of the petitioners.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. No such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. Nothing has been recovered either from the conscious possession or the house of the petitioners. The name of the petitioners have been dragged in the present case only on the basis of the confessional statement of the apprehended co-accused. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

Per contra, learned APP for the State vehemently opposing the bail petition submitted that the allegations levelled against the petitioners is serious in nature, hence they do not deserve anticipatory bail.

Considering the facts and circumstances of case and nature of the offence, I am not inclined to enlarge the petitioners on bail. The prayer for bail of the petitioners is hereby rejected. However, if the petitioners surrender before the learned Court below within six weeks from today and seek regular bail, the



learned Court below shall pass order in accordance with law
without being prejudiced by this order.

(Anjani Kumar Sharan, J)

divyanshi/-

U		T	
---	--	---	--

