

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13350 of 2023**

Arising Out of PS. Case No.-396 Year-2020 Thana- GAIGHAT District- Muzaffarpur

AVANISH KUMAR @ AVNISH KUMAR SINGH @ CHHOTU SINGH
SON OF SRI JAGAT NANDAN SINGH @ JAGAT SINGH R/O VILLAGE-
MORSAND, P.S.- RUNNI SAIDPUR, DISTRICT- SITAMARHI

... .. Petitioner/s

Versus

1. The State of Bihar
2. THE UNION OF INDIA THROUGH NARCOTIC DRUGS BUREAU
BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Vaidehi Raman Prasad Singh
For the Opposite Party/s :	Mr. Satyendra Prasad Mr. Anshuman Singh

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 30-04-2023 Heard the parties.

The petitioner apprehend his arrest in connection with Gaighat P.S. Case No.396 of 2020, registered for the offence punishable under Sections 399, 402, 414 of the Indian Penal Code, section 25 (1-b)a, 36/35 of Arms Act and section 8, 20, 22 of NDPS Act.

The prosecution case is that, when the informant alongwith police force was checking vehicles, he received information that 6-7 armed criminals have assembled to commit a serious crime. Police apprehended four of them and recovered country made pistol, live cartridge and mobile phone and *ganja* like substance from their possession. The apprehended persons disclosed that the petitioner had robbed a truck loaded with potatoes and onions and with the help of the petitioner, the looted truck was given to Govind Kumar Thakur



for concealing to be sold looted article.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and have committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. The petitioner was not apprehended on the spot and no recovery of contraband article has been made from the possession of the petitioner. He further submits that the car in question does not belong to the petitioner. Petitioner has four criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail and submits that the petitioner is also involved in the present case.

Having regard to the facts and circumstances of the case as the petitioner has criminal antecedent of similar nature, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

This application is accordingly, dismissed.

(Anjani Kumar Sharan, J)

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