

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34171 of 2023

Arising Out of PS. Case No.-166 Year-2021 Thana- BEGUSARAI TOWN District- Begusarai

PRABHAT KUMAR Son of Chhotelal Rai Resident of Village - Ayodhya
Bari, P.O.- Lakho, P.S.- Lakho (O.P.) Muffasil, District - Begusarai 851129
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravindra Kumar @ Ravindra Kr Rai
For the Opposite Party/s : Mr. Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 26-07-2023 Heard learned counsel for the petitioner as well as learned
APP for the State.

2. Petitioner apprehends his arrest in connection with
Begusarai, registered for the offences under Sections 25(1-b)-a,
26 and 35 of Arms Act, pending in the Court of learned C.J.M,
Begusarai.

3. Vide order dated 13.10.2022 passed in Cr. Misc. No.57182
of 2021, the anticipatory bail application of the petitioner was
rejected by this Court.

4. Learned counsel for the petitioner submits that charge-
sheet has been submitted by the police but the name of the
petitioner is not mentioned in the charge-sheet.

5. Learned APP for the State opposed the prayer for bail and
submits that there is no apprehension of arrest to the petitioner as
the police has filed charge-sheet in the present case and the



petitioner has not been made an accused. Learned counsel for the State relied upon the recent decision of the Supreme Court in the case of **G.R. Ananda Babu vs. State of Tamil Nadu and Another reported in 2021 SCC Online SC 176**, and submitted that this second anticipatory bail application is not maintainable.

6. Having regards to the arguments advanced on behalf of the learned counsel for the parties and also, considering the decision of the Hon’ble Apex Court, the prayer for bail is hereby rejected.

7. Accordingly, the instant bail application is dismissed as not maintainable.

(Anjani Kumar Sharan, J)

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