

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27966 of 2023

Arising Out of PS. Case No.-33 Year-2009 Thana- SIWAIPATTI District- Muzaffarpur

Rajesh Baitha, son of Late Dukhan Baitha, Resident of Village-Kauriya P.S.
Madhuban, Dist-East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Arun Kumar, Advocate

For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 07-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner in the present case is seeking pre-arrest bail in connection with Siwaipatti P.S. Case No. 33 of 2009 registered for the offences punishable under Sections 147, 148, 149, 307, 435 of the Indian Penal Code, Section 17 of the Criminal Law Amendment Act and Section 27 of the Arms Act. He has got no criminal antecedent.

As per the prosecution story, on 27.06.2009, six accused persons armed with pistol stopped the bus, got down all the passengers and set the bus on fire. It is alleged that they also fired from their pistol.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the petitioner is not named in the FIR.



Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

Having regard to the fact that the case was lodged in the year 2009 and in this case, police has submitted chargesheet as well as supplementary chargesheet against co-accused under various provisions of the Indian Penal Code as well as Section 17 of the Criminal Law Amendment Act and Section 27 of the Arms Act but the investigation against the petitioner has been kept pending, he has not cooperated with the investigation for all these years, therefore, this Court is not inclined to grant privilege of anticipatory bail to the petitioner.

The prayer for anticipatory bail of the petitioner is, thus, refused.

The application is dismissed.

(Rajeev Ranjan Prasad, J)

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