

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37567 of 2023

Arising Out of PS. Case No.-1058 Year-2022 Thana- DANAPUR District- Patna

RAHUL SINGH @ RAHUL KUMAR SON OF RANVIR SINGH @
RANVIR KUMAR SINGH SHAHARI, PS- BARH, DISTRICT- PATNA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tej Narayan Singh

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 31-07-2023 Heard learned counsel for the petitioner as well as learned
APP for the State.

2. The petitioner apprehend his arrest in a case registered for
the offence punishable under Section 401 of the Indian Penal
Code, Section 25(1-b), 35 of the Arms Act.

3. Allegedly, on the basis of secret information, the police
party went to raid a place and apprehended one person. It is
alleged that police recovered mobile phone, magazine of pistol
and one empty cartridge from the possession of the apprehended
co-accused. It is further alleged that the co-accused stated that
he along with the petitioner were planning to commit some
offence.

4. 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. There is no specific overt act against the petitioner. There is no recovery from the possession of the petitioner. He submits that the name of the petitioner transpired in the present case only on the basis of statement of apprehended co-accused but as a matter of fact the petitioner has no concern with the apprehended co-accused. He further submits that the petitioner is a student and he is preparing for different competitive exams. Petitioner has two criminal antecedents.

5. Learned APP for the State opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case as the petitioner is a student and there is no specific overt act against him, let the above named petitioner, be released on bail, in the event of his/her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is



pending/Successor Court in connection with Danapur P.S. Case
No.1058 of 2022, subject to the conditions as laid down under
Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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