

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42247 of 2023

Arising Out of PS. Case No.-63 Year-2023 Thana- PIPRAKOTHI District- East Champaran

Bikal Kumar Singh @ Chhotu Singh @ Chhote Singh, S/O Shrikant Singh
R/O Village- Kudiya Bangri, P.S- Piprakothi, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Tiwary, Advocate

For the Opposite Party/s : Mr. Arvind Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 02-08-2023 Heard Mr. Dhananjay Tiwary, learned counsel

appearing on behalf of the petitioner and the learned APP for the

State.

2. The petitioner is apprehending his arrest in connection with Piprakothi P.S. Case No. 63 of 2023 registered for the offences punishable under Sections 399, 402, 120B of the Indian Penal Code and Sections 25(1-A) 25(1-AA), 26, 35, 25(1-D) of the Arms Act.

3. Allegedly the police on a secret information regarding the assemblage of veteran criminal Kunal Singh and his associates in a house, raided the place of occurrence. On noticing the police party, 5-6 persons succeeded in fleeing away. However, co-accused Kunal Singh was apprehended. The apprehended co-accused disclosed the name of the other co-



accused persons, including the petitioner, and from his possession various arms and ammunition have been recovered.

4. Submission has been made on behalf of the petitioner that from the narration of the F.I.R., it is evident that the name of the petitioner transpired on the disclosure of co-accused Kunal Singh, which has admittedly been disclosed before the police and, as such, the same is hit by Section 25 of the Indian Evidence Act. He next submitted that, in fact, on account of past criminal antecedent of the petitioner, his name has been implicated in this case, which shows the high handedness of the police. That apart, no recovery of any material from the whereabouts of the petitioner.

5. On the other hand, learned APP for the State while opposing the bail application has drawn the attention of this Court to paragraph 3 of the application and submits that the petitioner appears to be a habitual offender, as eight cases are pending against him.

6. Regard being had to the submissions made on behalf of the parties and considering the criminal antecedent of the petitioner, which is one of the important factor and required to be considered for the purposes of granting anticipatory bail, this Court is not persuaded to enlarge the petitioner on privilege



of anticipatory bail and his prayer for grant of anticipatory bail is rejected.

7. Accordingly, the present application stands dismissed.

(Harish Kumar, J)

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