

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46871 of 2023

Arising Out of PS. Case No.-8 Year-2020 Thana- MANJHI District- Saran

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Santosh Ram Son Of Raj Kumar Ram Resident Of Village - Mehandiganj,
Police Station - Manjhi, District - Saran

... .. Petitioner/s

Versus

The State Of Bihar, Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha
For the Opposite Party/s : Mr. Harendra Prasad

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 25-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 399 and 402 of the Indian Penal Code and Section 25(1-b)/26/35 of the Arms Act pending in the learned court below.

3. On 09.01.2022, on the basis of the secret information that three boys are planning for crime after seating in a orchard near Manjhi Railway Station, informant moved there with police party and chaukidar. Seeing the police all the persons fled away out of whom one person was apprehended by the police. On search of his body one loaded country made pistol was recovered.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this



case. He further submits that the apprehended person disclosed the name of the petitioner. He submits that there is allegation against the petitioner that petitioner has fled away from the place of the occurrence and one country-made pistol belong to the petitioner which was recovered from the place of occurrence. He further submits that there is no incriminating article has been recovered from the conscious possession of the petitioner. He further submits that petitioner has got two criminal antecedents as stated in para-3 of the bail application.

5. Per contra, learned APP for the State vehemently opposing the bail application and submitted that the allegation levelled as the petitioner is serious in nature. Hence, he does not deserve anticipatory bail.

6. Considering the facts and circumstances of the case and the fact that petitioner has already similar nature of the offences, I am not inclined to enlarge the petitioner on bail in connection with Manjhi P.S. Case No. 08/2020. Accordingly, his prayer for anticipatory bail is hereby rejected.

(Anjani Kumar Sharan, J)

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