

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60691 of 2022

Arising Out of PS. Case No.-191 Year-2021 Thana- BENIPATTI District- Madhubani

Raja Jha @ Raja Mishra @ Ricky Kumar Mishra Son of Late Ishwar Chandra
Mishra Resident of Village- Dhanauja, P.S.- Benipatti, District- Madhubani
... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Jagnnath Singh, Advocate
For the Opposite Party/s : Mr.Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

5 15-05-2023 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 Benipatti P.S. Case No. 191 of 2021 registered for the offences punishable under Sections 399, 402, 413, 414 of the Indian Penal Code and 25(1-b)a/ 26/ 35 of Arms Act. The petitioner has got one criminal antecedent.

As per the prosecution story, police had got information that four people are planning to commit crime near Pali Bridge. When police force came there for verification they found that four people on two motorcycle who upon seeing them started fleeing. The police managed to arrest the pillion rider, however, the other two accused namely Nikesh Kumar Jha and Raja Jha (petitioner) fled in the dense forest. Later on in presence of two witnesses, Nikesh Kumar Jha was searched by



the police. The police found one loaded country made pistol and five round cartridges in the magazine and also a Redmi mobile set from Nikesh Kumar Jha and when he was asked to produce documents related to Apache blue color motorcycle, he did not gave a satisfactory answer. Later on, Nikesh Kumar Jha was arrested and brought to the police station.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is submitted that at the time of the said occurrence, the petitioner was at Delhi and not at Bankatta Chowk, Benipatti

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

Having regard to the facts and circumstances of the case, wherein this petitioner's name has transpired in the statement of the apprehended accused and he has got one criminal antecedent as well, this Court is not inclined to grant privilege of anticipatory bail to the petitioner.

Prayer is refused. This application is dismissed.

Let the case diary be returned.

(Rajeev Ranjan Prasad, J)

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