

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63471 of 2023

Arising Out of PS. Case No.-488 Year-2023 Thana- ARA NAWADA District- Bhojpur

Rohit Singh @ Ayush Kumar Singh, Son Of Surendra Singh, R/o Village-
Kaura, P.S.- Jagdishpur, Dist- Bhojpur Petitioner/s
Versus

The State Of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravindra Kumar, Advocate
For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 17-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner, in the present case, is seeking pre-arrest bail in connection with Ara Nawada P.S. Case No.488 of 2023 registered for the offences punishable under Sections 153, 158 and 307/34 of the Indian Penal Code, Section 27 of the Arms Act and Section 30(a) of the Bihar Prohibition and Excise Act, 2016. The petitioner has got four criminal antecedents.

3. As per the prosecution story, the allegation against the petitioner is that he had allegedly fired from his firearm on seeing the police vehicle and thereafter he fled away from the place of occurrence.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Learned counsel submits that no incriminating article has been recovered from the conscious possession of the petitioner and he



has no concern with the alleged seized illicit liquor, vehicle and firearm.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having regard to the facts and circumstances of the case wherein it transpires that from the First Information Report that the petitioner had allegedly fired on seeing the police vehicle and this has been disclosed by one of his accomplices who was also arrested with the illicit liquors and police has seized the fired cartridge and the vehicle from which the firing had taken place, further considering that this petitioner has got four criminal antecedents and those are mostly under Section 307 I.P.C., this Court is not inclined to grant privilege of anticipatory bail to the petitioner. Prayer is refused.

7. In case the petitioner surrenders and prays for regular bail in the learned court below within a period of four weeks from today, his prayer for regular bail shall be considered on its own merit without being prejudiced by the order of this Court.

8. This application is dismissed.

(Rajeev Ranjan Prasad, J)

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