

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71997 of 2023

Arising Out of PS. Case No.-327 Year-2022 Thana- BARGAINIA District- Sitamarhi

Jai Kumar @ Jack Kejriwal @ Jack Kumar Kejriwal S/O Sushil Kumar
Kejariwal R/O Informant Of Dhandhariya School Main Road, Bairgania, P.S-
Sitamarhi, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suresh Prasad Bhakta

For the Opposite Party/s : Mr. Atul Chandra

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 28-11-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in Bairgania
P.S. Case No. 327 of 2022 registered for the offences punishable
under Sections 399, 402, 414 of the Indian Penal Code and
Section 25(1-b)a, 26 and 35 of the Arms Act, pending in the
Court of learned C.J.M., Sitamarhi.

3. As per the prosecution case, when the informant
along with other police personnels were on patrolling duty, he
saw five persons in talking condition to each other who were
standing at Sainik road at Dhuniya Tola, and after seeing the
police party, they started fleeing. On chase, three persons were
apprehended and two persons succeeded to flee. On search,



contraband articles were recovered from their physical possession and when the informant asked about the documents regarding the recovered articles, they have neither gave satisfactory answer nor produced any papers.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that the petitioner has falsely been implicated in this case by the police at the instant of his enemies due to ulterior motive in shape of so called statement of apprehended person. The petitioner has four criminal antecedents as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for anticipatory bail and submits that the petitioner is also involved in the present case. Hence, he does not deserve privilege of anticipatory bail.

6. Considering the facts and circumstances of case and the criminal antecedents of the petitioner as mentioned in para-3 of this application, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected. However, if the petitioner



surrenders before the learned Court below within six weeks from today and seek regular bail, the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

anand/-

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