

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5002 of 2023

Arising Out of PS. Case No.-134 Year-2022 Thana- MANIYARI District- Muzaffarpur

Santosh @ Santosh Kumar Son Of Rakesh Singh Resident Of Village -
Rajapakar Banghara, P.S.- Rajapakar, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arjun Prasad

For the Opposite Party/s : Mr. Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 07-04-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in Maniyari P.S. Case No. 134 of 2022 registered for the offences punishable under Sections 25(1-b)a, 26, 35 of the Arms Act and 8(c), 21(b) of the N.D.P.S. Act pending in the Court of learned Additional Sessions Judge-1, Muzaffarpur.

As per prosecution case, the informant along with police party reached near Anwara Bridge and was that four person on two motorcycles were standing on motorcycle having Reg. No. BR31AG-5705 and another has no registration number. The informant remembered that the motorcycle is involved in P.S. Case No. 129 of 2022 and tried to stop them and they tried to flee away in that course two persons were



apprehended.

Learned counsel for the petitioner submits that no such occurrence as alleged ever took place. He has been falsely implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that the petitioner is made accused in the present case on the basis of confessional statement of apprehended co-accused. The petitioner has got eight criminal antecedents as mentioned in para-3 of the bail application.

Learned APP for the State vehemently opposing the bail petition submitted that specific overt act has been attributed against the petitioner. Hence, he does not deserve privilege of anticipatory bail.

Considering the facts and circumstances of case and the fact that the petitioner has eight criminal antecedents, I am not inclined to enlarge the petitioner on anticipatory bail in connection with Maniyari P.S. Case No. 134 of 2022.

The prayer for anticipatory bail of the petitioner is hereby rejected.

(Anjani Kumar Sharan, J)

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