

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.990 of 2023

Arising Out of PS. Case No.-461 Year-2022 Thana- JOGAPATTI District- West Champaran

Sunil Kumar S/O Musafir Mukhiy R/V- Mangalpur, P.S.- Srinagar Pujha,
District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar

For the Opposite Party/s : Mr.Gulnar Begum

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 21-03-2023 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner apprehends his arrest in Yogapatti P.S. Case No. 461 of 2022 registered for the offences punishable under Sections 413, 414 of the Indian Penal Code and Section 25(1-b), a, 26, 35 of the Arms Act pending in the Court of learned C.J.M. Bettiah, West Champaran.

As per prosecution case, the police being the informant of the case got secret information that some criminals are assembled at the chowk coming through two motorcycles. He reached there then on seeing the police party the said assembled persons started fleeing away but one of the motorcyclists was apprehended by the police and some arms were recovered from apprehended person.



Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case. He submits that the apprehended person disclosed the name of the petitioner and other co-accused persons. He submits that no incriminating material has been recovered from the house of the petitioner. He further submits that there is no criminal antecedent against the petitioner as mentioned in para 3 of this application.

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

Considering the facts and circumstances of case and the fact the petitioner is also the member of the said syndicate, I am not inclined to enlarge the petitioner on anticipatory bail in connection with Yogapatti P.S. Case No. 461 of 2022.

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

(Anjani Kumar Sharan, J)

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