

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12400 of 2024

Arising Out of PS. Case No.-363 Year-2018 Thana- PIRO District- Bhojpur

Monu Kumar @ Manu Kumar @ Manu Singh @ Abhilash Kumar Singh S/O
Sukh Deo Singh Mohalla- Sheoganj (SHITALTOLA), Ps.- Ara Nagar, Dist.
Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranvijay Narain Singh, Advocate

For the Opposite Party/s : Mr.Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 14-03-2024 1. Heard learned Counsel for the petitioner and learned
APP for the State.
2. This application, for grant of anticipatory bail, arises
out of Piro PS case no. 363 of 2018, disclosing offences
punishable under Sections 399, 402, 307, 353 of the Indian Penal
Code and sections 25(1-b)a, 26, 27, 35 of Arms Act.
3. The prosecution story, as per the First Information
Report, is that the informant, who is the S.H.O. Piro PS, received
secret information that five criminals may visit Jhitoura Bazar on
Bolero vehicle to commit crime. After receiving information, the
informant along with other police personnel reached the market.
Thereafter, the aforesaid Bolero vehicle came and on seeing police
party, persons sitting in the said Bolero vehicle started fleeing
away. One of the culprits fired at the Superintendent of Police,



Bhojpur. The police also made retaliatory firing, however three accused persons succeeded in fleeing away and two accused persons were arrested by the police. The police recovered 02 pistols from the accused persons along with live cartridges and upon one pistol, "MADE IN USA" was written. The arrested accused person namely Kundan Kumar disclosed that petitioner along with other accused persons were going on the Bolero vehicle for committing loot in Piro Baba Mall and Priyanshu Mall.

4. Learned Counsel for the petitioner submits that petitioner has falsely been implicated in this case on the basis of disclosure of his name by arrested co-accused Kundan Kumar. Learned counsel further submits that the police has mentioned the incorrect name of the petitioner as the name of the petitioner is Manu Singh and not Monu Kumar. He also submits that petitioner is having no concern with the other accused persons including Bolero vehicle.

5. On the other hand, learned APP for the State has opposed the prayer for bail and submits that upon information, the police constituted a team having police personnel from the Special Task Force. Upon seeing the police party, the accused persons started fleeing away and while fleeing, they fired upon the police personnel and from possession of the arrested accused persons, sophisticated weapons have been recovered. He



also submits that the investigation of the case is going on and the petitioner is having criminal antecedent of serious nature of offence.

6. Regard being had to the submissions made on behalf of the parties and taking into consideration the gravity of the offence and the fact that the petitioner is having four criminal antecedents, I am not inclined to grant the privilege of anticipatory bail to the petitioner.

7. This application is, accordingly, rejected.

(Anil Kumar Sinha, J)

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