

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33121 of 2024

Arising Out of PS. Case No.-493 Year-2021 Thana- BANKA District- Banka

Raja Das @ Pankaj Das @ Pankaj Raj Son of Umesh Das R/O Vill.-
Maheshadih, P.S.- Banka, Dist.- Banka

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajib Ranjan Jha, Adv.

For the Opposite Party/s : Mr.Satyendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 26-06-2024 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in a case registered for the offences punishable in connection with Banka P.S. Case No.493 of 2021 under Sections 393, 307 and 34 of the Indian Penal Code read with Section 27 of the Arms Act. read with sections 3, 4 and 5 of the Explosive Substance Act.

3. As per the prosecution, the FIR has been lodged against 7 named accused persons against whom there is allegation that they used to extract the vehicles and demanded extortion money from the vehicle's owners and in no response, the allegation of throwing bomb on the truck is there.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He submits that the petitioner has been unnecessarily been made accused in this case. He submits that his name has been inserted as in counter-case *i.e.*, Banka P.S. Case No.137 of 2021 and in



support of his argument, he has annexed Annexure-2 in the bail petition in which petitioner was accused and has been granted anticipatory bail by the Co-ordinate Bench of this Court vide order dated 21.07.2022 passed in Cr. Misc. No.362 of 2022.

5. Counsel also submits that antecedent of the petitioner is not clean.

6. Learned APP for the State opposes the prayer for bail and submits that with exactly similar allegation, the petitioner was accused in Banka P.S. Case No.137 of 2021 in which he has been granted anticipatory bail, but again involved in same type of occurrence due to which the present case has been filed in Banka P.S. Case No.493 of 2021.

7. Counsel further submits that the petitioner does not deserve anticipatory bail.

8. In the present facts and circumstances and submissions made that the petitioner has committed recurring offence with similar nature. As such, this Court is not inclined to grant anticipatory bail to the petitioner, therefore the bail application of the petitioner is hereby rejected.

(Dr. Anshuman, J.)

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