

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50172 of 2024

Arising Out of PS. Case No.-275 Year-2019 Thana- BIHIA District- Bhojpur

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DHARMENDRA YADAV @ LOHA YADAV SON OF SURENDRA YADAV
@ SURENDRA SINGH VILLAGE- KACHANIYA, P.S.- JAGDISHPUR,
DISTT.- BHOJPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhat Kumar Singh

For the Opposite Party/s : Mr. Harendra Prasad

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 09-08-2024 1. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State representing the State.
2. This application, for grant of anticipatory bail, arises out of Bihiya Police Station Case No. 275 of 2019, dated 20.07.2019, registered for the offences punishable under Sections 399/402/414 of the Indian Penal Code and Sections 25(1-b)a/26/35 of the Arms Act.
3. The prosecution case, as per the First Information Report, is that the police, upon a secret information that some persons were preparing to commit robbery, proceeded towards the place of occurrence and upon seeing the police party, 5 persons succeeded in fleeing away,



however, one person, namely, Saheb Paswan, was arrested, from whose possession the police recovered one country-made pistol with three live cartridges. It has further been alleged that the arrested accused has disclosed the name of the petitioner and others.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has not committed any offence in the manner alleged. He further submits that the petitioner was not present at the place of occurrence and his name was disclosed by the arrested co-accused persons. He further submits that similarly situated co-accused person, namely, Sunil Rajwar, has been granted anticipatory bail by this Court, vide order dated 06.11.2019, passed in Criminal Misc No. 65377 of 2019.
5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that the petitioner has got criminal antecedents and he has approached this Court for grant of anticipatory bail after about five years of the alleged occurrence and that too when his anticipatory bail application was rejected by the learned District court on 23.12.2019 itself and the petitioner has criminal antecedent, I am not inclined to



grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, dismissed.

(Anil Kumar Sinha, J.)

Raj Ranjan/-

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