

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46235 of 2024

Arising Out of PS. Case No.-36 Year-2024 Thana- Madhusudanpur District- Bhagalpur

PANKAJ YADAV SON OF RAJ KISHORE YADAV @ RAJ KISHORE
RESIDENT OF VILLAGE - GAURACHAKKI NAVTOLIA, P.S. -
KAJRAILI, DISTRICT - BHAGALPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Indeshwari Prasad Mandal

For the Opposite Party/s : Mr.Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 07-08-2024 1. Heard the parties.

2. The petitioner apprehends his arrest in connection with Madhusudanpur P.S. Case No. 36 / 2024 dated 20.04.2024 registered for the offence under Sections 399, 402 of the I.P.C. and Sections 25(1-b)a, 26, 35 of the Arms Act.

3. As per the prosecution case lodged by the Police Officer on 19.04.2024 the Police received a secret information that 3-4 miscreants along with weapons were sitting in a garden and was preparing a plan for dacoity. Upon such information, Police proceeded towards the place of occurrence and upon seeing the Police party, the accused persons started fleeing away, however,



one of them was apprehended and upon inquiry the apprehended person disclosed his name as Mithilesh Kumar. He also disclosed the name of the persons, who succeeded in fleeing away including the petitioner. On search, several types of illegal weapons, arms and ammunition along with one red colour Glamour motorcycle were recovered at the place of occurrence.

4. Learned counsel fore the petitioner submits that the petitioner is having no criminal antecedent and he has falsely been implicated in this case on the basis of disclosure of his name by the arrested co-accused / Mithilesh Kumar. The motorcycle belonging to the petitioner was borrowed by the co-accused / Lokesh Tanti by saying that his mother was seriously ill and he was to take her to hospital for treatment but the Police has wrongly stated that the motorcycle has been recovered from the place of occurrence. The co-accused / Lokesh Tanti has been granted anticipatory bail by the learned Additional Sessions Judge-II, Bhagalpur himself.

5. Regard being had to the submissions made by the parties, taking into consideration the gravity of the offence and the fact that on the place of occurrence fire arms and other incriminating materials were recovered along with the motorcycle owned by the petitioner, as such, I am not inclined to grant anticipatory



bail to the petitioner.

6. The prayer for grant of anticipatory bail is rejected.

(Anil Kumar Sinha, J)

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