

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58690 of 2024

Arising Out of PS. Case No.-208 Year-2022 Thana- DANAPUR District- Patna

SHANKAR RAI @ SHANKAR YADAV @ VINAY RAI@VINAY KUMAR
SONOF CHHATHU RAI R/V- MOHALLA- DUJRACHAK, P.S.- BUDHA
COLONY, DISTT.- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anshul, Adv.
: Mr.Anuj Kumar, Adv.
For the Opposite Party/s : Mr.Lalan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 31-08-2024 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 Danapur P.S. Case No.208 of 2022 under Sections 302, 34 and 120B of the Indian Penal Code read with Section 27 of the Arms Act.

3. As per the prosecution, the FIR has been lodged against four unknown accused persons against whom there is allegation that they have committed the crime of murder in connivance with each other under criminal conspiracy.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He submits



that the petitioner's name has figured in this case only due to the reason that there are 10 criminal antecedent against the petitioner and at this instance, the police has inserted his name in this case.

5. Counsel further submits that on the date of commission of crime, the petitioner was in custody which he has specifically stated in paragraph 8 of the bail application. He further submits that the petitioner is ready to fulfill all the conditions whatsoever shall be imposed upon him.

6. Counsel further submits that antecedent of the petitioner is not clean. There are 10 criminal cases pending against him in which he is on bail in all the cases.

7. Learned APP for the State opposes the prayer for bail and submits that case diary has been received and in the case diary, confessional statement is there. By virtue of confessional statement, the petitioner's name has come as a conspirator. He further submits that from the criminal antecedent, it become clear that there are 11 criminal cases pending against him including the present one and out of 11 cases, he is accused in 5 cases which are of section 302 of the I.P.C. He further submits that name of the petitioner has also figured in confessional statements of co-accused, which are



corroborative in nature.

8. In the present facts and circumstances, this Court is not inclined to grant anticipatory bail to the petitioner, therefore the bail application of the petitioner is hereby rejected.

9. However, trial court is directed to consider the regular bail application of the petitioner, if he surrenders within four weeks from today and prays for regular bail, then trial court shall pass order without being prejudice of the present order preferably on the same day.

(Dr. Anshuman, J.)

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