

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57074 of 2023

Arising Out of PS. Case No.-87 Year-2023 Thana- KUCHAIKOTE District- Gopalganj

Sumant Yadav S/O - Late Amarjeet Yadav R/O Village - Tirbirwan, P.O. -
Bhitbherwan, P.S. - Thawe Petitioner/S

Versus

The State Of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akshay Ashish, Adv.

For the Opposite Party/s : Mr. Binod Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 30-01-2024 Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

2. Petitioner apprehends his arrest in connection with Kuchaikote P.S. Case No. 87 of 2023 dated 20.02.2023, registered for the offence punishable u/s 399, 402, 412/34 of the IPC and Section 25(1-b)a, 26 and 35 of the Arms Act, pending in the court of learned A.C.J.M.-I, Gopalganj.

3. As per the prosecution case, the informant got a secret information that some miscreants who indulged in heinous crimes like murder, loot and extortion with deadly weapons have assembled near *Sassamusa Shiva* temple for committing a big crime. Thereafter, the informant along with police party proceeded for investigation. On seeing the police, miscreants started to flee away but police chased and caught seven persons, on search loaded pistols with cartridges, mobile phones, knife and other incriminating articles were recovered



from them.

4. It is submitted by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case due to previous grudge. Petitioner is named in F.I.R. The allegations levelled against the petitioner is general and omnibus in nature. Petitioner has three criminal antecedent as mentioned in para 3 of the bail application.

5. Per contra, learned APP for the State vehemently opposing the bail petition submitted that petitioner has suppress his criminal antecedents. Petitioner has two more criminal antecedents other than what is stated in para 3 of the bail application, it is clear from para 56 of the case diary. There is specific overt act against the petitioner and the allegations levelled against the petitioner is serious in nature, hence he does not deserve anticipatory bail.

6. Considering the facts and circumstances of case, the nature of offence is serious, I am not inclined to enlarge the petitioner on bail. The prayer for bail of the petitioner is hereby rejected.

(Anjani Kumar Sharan, J)

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