

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67326 of 2024

Arising Out of PS. Case No.-115 Year-2023 Thana- AGIAON District- Bhojpur

Raj Kumar @ Raj Kapur Son of Late Kashi Nath Mahto Resident of Vill-
Kamariya, P.S.- Azimabad, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Patanjali Rishi, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 02-12-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. Petitioner is apprehending his arrest in connection with
Agiaon P.S. Case No.115 of 2023, registered for the offence
punishable u/s 414 of the IPC, 1860 and Sections 25(1-b), 26,
35 of Arms Act, 1959.

3. Allegedly, police has arrested some co-accused persons
along with country made pistols, a 315 bore live cartridge and
mobile phones, who disclosed the name of the petitioner that the
petitioner is involved in the present case.

4. It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has not committed any offence.
He has been falsely implicated in this case. No incriminating
article has been recovered from the conscious physical



possession of the petitioner. He was not apprehended on the spot. His name transpired on the basis of confessional statement made by the apprehended co-accused persons. It is further submitted that police has also raided the house of the petitioner earlier, but no arms were recovered from there. Petitioner has three criminal antecedent of similar nature of offence as mentioned in para 3 of the bail application.

- 5. Learned APP for the State opposed the prayer for bail.
- 6. Considering the aforesaid facts and circumstances and considering the criminal antecedents of the petitioner, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.
- 7. This application is accordingly dismissed.

(Anjani Kumar Sharan, J)

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