

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65168 of 2024

Arising Out of PS. Case No.-82 Year-2023 Thana- BARHARA District- Bhojpur

Vikash Kumar Son of Angad Ray Resident of Village- Chachiya, PS-
Doriganj, Distt.- Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Bhushan Singh, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-10-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Barhara P.S. Case No. 82 of 2023 registered for the offences punishable under Sections 395, 412 of the Indian Penal Code and Section 25(1-B)a/26/35 of Arms Act.

3. As per FIR, eight accused persons having arms and rods in their hand looted the informant and other truck drivers on point of pistol. It is further alleged that one person was apprehended, who disclosed the name of this petitioner and other miscreants and on search, the police has recovered some of the looted articles from his possession.

4. It is submitted by learned counsel for the petitioner



that petitioner is quite innocent and has committed no offence. No such occurrence as alleged has ever taken place. He has been falsely implicated in this case due to ulterior motive. No any arms or incriminating article has been recovered from his conscious physical possession or from his house. The allegation levelled against the petitioner is totally false and based on concocted facts. His name has been transpired in the present case due to dirty village politics. He was not apprehended on the spot. There is nothing on record to indicate the complicity of the petitioner barring the confessional statement of the apprehended person which has no evidentiary value in the eye of law. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for bail.

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

7. Accordingly, the application stands dismissed.

8. However, if the petitioner surrenders before the learned Court below within six weeks from today and seeks regular bail, the learned Court below shall pass order on the



same day in accordance with law without being prejudiced by
this order considering the fact that petitioner has no criminal
antecedent.

(Anjani Kumar Sharan, J)

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