

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84810 of 2024

Arising Out of PS. Case No.-434 Year-2024 Thana- MOTIHARI TOWN District- East
Champaran

=====

Vikram Kumar S/O Ramu Patel Resident of village- Miscot ward no.- 21, P.S-
Town Motihari, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Prateek Tandon
For the Opposite Party/s : Md. Ataur Rahman

=====

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 16-12-2024 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in connection with
Town P.S. Case No.434 of 2024, registered for the offence
punishable under Section 309(4) of the BNS, 2023 and 27 of
Arms Act.

3. Allegedly, the brother-in-law of the informant was
apprehended by three unknown persons and they fired upon him
and snatched Rs.8 lakhs from him.

4. It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and have committed no offence. He
has been falsely implicated in this case. No such occurrence, in
the manner as alleged, has ever taken place. The allegation
levelled against the petitioner is not specific rather general and



omnibus in nature. He submits that the petitioner is not named in the FIR, his name transpired in the present case on the basis of confessional statement of apprehended co-accused, who was apprehended during the course of investigation. Petitioner has one criminal antecedent.

5. Learned APP for the State opposed the prayer for anticipatory bail. He further submits that the name of the petitioner has transpired in the present case on the basis of confessional statement of co-accused. In this regard the ratio laid down by the Apex Court in the case of **Indresh Kumar vs. State of Uttar Pradesh in Cr. APP. No.938 of 2022** may also be taken into consideration in which it has been observed that the statements made under Section 161 of Cr.PC. are relevant in considering the *prima facie* case against an accused in an application for grant of bail in cases of grave offence.

6. Having regard to the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

7. Accordingly, this application is dismissed.

(Anjani Kumar Sharan, J)

shikha/-

U			
---	--	--	--



