

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83 of 2024

Arising Out of PS. Case No.-49 Year-2023 Thana- SINGHESHWAR District- Madhepura

Bikas Kumar @ Vikash Kumar son of Devan Yadav @ Devnandan Yadav
Village- Sant Nagar W.No-13, Murliganj Dist- Madhepura

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Dinesh Verma, Advocate

For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 24-01-2024 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail, in connection with Singheshwar Police Station Case No. 49 of 2023, disclosing offences under Sections 399, 402 and 414 of the Indian Penal Code, under Sections 25(1-B) A, 26 and 35 of the Arms Act and under Sections 18(a), 20(a), and 22(a) of the N.D.P.S. Act.

3. The prosecution case, as per the First Information Report, is that the police during the course of patrolling arrived in mela where the police party saw three persons riding on two motorcycles each and upon seeing the police party, accused persons started fleeing away but three of them were arrested on the spot by the police force and three accused persons managed



to flee away from the spot. The apprehended accused persons disclosed the name of the petitioner and others. On search, country made pistol loaded with one live cartridge and two mobile phones were recovered from the possession of arrested co-accused, Pratyush Kumar and one country made pistol with live cartridge and one mobile phone was recovered from the possession of co-accused Raja Kumar and one mobile phone was recovered from the possession of the co-accused Rajesh Kumar. It is also alleged that sachet of ganja was recovered from beneath the seat of motorcycle and paper of motorcycle was also not produced by the co-accused person.

4. Learned counsel for the petitioner submits that the petitioner has been implicated in this case on the basis of disclosure of his name by arrested co-accused persons. He further submits that petitioner is having no criminal antecedent and no incriminating article has been recovered at the behest of the petitioner.

5. Regards being had to the submissions made on behalf of the parties and taking into consideration the nature of allegation and the fact that the sachet of ganja and large number of incriminating materials have been recovered from the possession of the co-accused, I am not inclined to grant the



privilege of anticipatory bail.

6. This application is, accordingly, rejected.

(Anil Kumar Sinha, J)

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