

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65338 of 2024

Arising Out of PS. Case No.-103 Year-2024 Thana- RAJAPAKAR District- Vaishali

Raj Kumar Singh S/o Rajnarayan Singh R/o Vill -Phulhara Bazar, P.S. -
Rajapakar (Baranti O.P), Dist - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar

For the Opposite Party/s : Mr.Bharat Bhushan

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 24-01-2025 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 147, 149,
323, 341, 332, 333, 353, 427, 224, 225, 307 of the IPC and
Section 3/4 of the Prevention of Damage to Public Property Act.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of three cases, but then petitioner was
granted the privilege of anticipatory bail in two cases and in one
case, he has been given the benefit of Section 41A of the Cr.P.C.
It is further submitted that petitioner is not a criminal, but on
account of dispute relating to property, the cases were instituted.
It is next submitted that the informant alleges that he received
secret information on 25-3-2024 that petitioner, who is accused



in many cases, is roaming at Phulara Bazar, accordingly the informant reached the place of occurrence and apprehended the petitioner, but while he was being brought to the police station, he snatched a rifle of one of the police personnel, but the rifle was recovered with the help of other police officers, further the accused started raising hue and cry on which his relatives and others arrived at the place of occurrence and started pelting stones over the police force and the petitioner, taking advantage of the situation, fled.

4. The learned counsel for the petitioner submits that the petitioner has been falsely implicated in the instant case by the informant. It is further submitted that it does not appear probable that a person, who is apprehended by the police force, while sitting in the police vehicle, would snatch the rifle of the police personnel. It is further submitted that the informant alleges that the petitioner has many criminal antecedents, but then, as recorded hereinabove, the petitioner was involved in three cases, but then the petitioner is not a criminal merely for the reason that cases have been instituted against him. It is further submitted that no doubt the police force had come to arrest the petitioner, but then the petitioner was not found present at the place of occurrence and a false case was instituted



with the aforesaid allegations. It is also submitted that the petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

5. The learned APP opposes the anticipatory bail application on the grounds that in the FIR, it is alleged that the petitioner has many cases pending against him.

6. After hearing the learned counsel for the parties, the petitioner, above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on **provisional anticipatory bail** on furnishing bail bonds of Rs. 25,000/- (Rupees Twenty-five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Rajapakar (Baranti) P.S. Case No. 103 of 2024 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. It is made clear that the learned trial court, before confirming the provisional bail bonds of the petitioner, shall verify the antecedent of the petitioner and in the event if it is found that the petitioner has more than three antecedent, in that event, the provisional anticipatory bail shall not be confirmed and the petitioner will be taken into custody, but if it is found



after verification that petitioner has only three antecedents in
that event the provisional anticipatory bail shall be confirmed.

(Satyavrat Verma, J)

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