

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90021 of 2024

Arising Out of PS. Case No.-1082 Year-2024 Thana- SAHARSA SADAR District- Saharsa

Santosh Kumar Singh @ Santosh Singh S/O Sri Ashok Kumar Singh @
Ashok Singh R/O Village - Kadumar, Ward No- 6 P.S- Kanera, District -
Saharsa at present residing at Batraha, Ward No- 36, P.S- Sadar, Dist.-
Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Arbind Kumar Singh, Advocate
For the State : Mr. Surendra Prasad Singh, APP
For the Informant : Mr. Rajesh Kr. Dubey, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 30-01-2025 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 329(3), 329(4), 126(2), 115(2), 61(2), 109, 76, 77, 305, 352, 351(2), 351(3) and 3(5) of the B.N.S..

3. As per prosecution case, on 10.10.2024 at about 11 AM, while the informant was at her house, in the meantime, someone knocked at the door and when she opened the door, five unknown miscreants covering their faces, on the point of pistol, assaulted informant and her family members and looted household articles, cash and mobile phones.

4. It is submitted by learned counsel appearing on



behalf of the petitioner that petitioner is innocent and has falsely been implicated in this case. Petitioner is not named in the F.I.R.. Name of petitioner transpired during course of investigation on the basis of confessional statement of co-accused person. Except confessional statement there is no material on record to show the accomplicity of this petitioner in the alleged offence. No stolen article has been recovered from conscious possession of this petitioner.

5. On the other hand, learned A.P.P. for the State and learned counsel appearing on behalf of the informant have vehemently opposed the prayer for grant of anticipatory bail to the petitioner and submitted that this petitioner, along with other accused persons, is alleged to have committed the offence. It is further submitted that during pendency of this case, proceedings under Section 82 of the Cr.P.C. has already been issued and this petitioner has been declared an absconder and a prize of Rs. 25,000/- has been announced on arrest of this petitioner. It is further submitted that petitioner has also got four criminal antecedents.

6. Considering the aforesaid facts and circumstances, nature of accusation, criminal antecedents of the petitioner and the fact that petitioner has already been declared an absconder,



the prayer for grant of anticipatory bail to the petitioner is
rejected.

(Prabhat Kumar Singh, J)

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