

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18187 of 2019

Arising Out of PS. Case No.-321 Year-2017 Thana- MOUZAHDIPUR District- Bhagalpur

MD. IFTEKHAR @ SHEKHU Son of Kashim @ Md. Kashim R/o village-
Chandichak Naya Tola, P.S.- Habibpur, District- Bhagalpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Indeshwari Prasad Mandal, Advocate

For the Opposite Party/s : Mr.Pronoti Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 04-04-2019 Heard the parties.

The petitioner seeks anticipatory bail in connection with Mojahidpur P.S.Case No. 321 of 2017, registered for offences punishable under Sections 341, 323, 384, 386, 411 and 34 of the Indian Penal Code.

As per F.I.R., allegation against the petitioner is that when the informant was coming from his sister's house, three persons apprehended and snatched his mobile as well as Rs. 5000/- along with other documents and also assaulted and they fled away after seeing the police but one co-accused Chhotan Sharma apprehended, who disclosed the name of the petitioner and others.

Submission of the learned counsel for the petitioner is that the whole story of the prosecution is false and concocted



and there is a case and counter case between the parties. It is further submitted that the allegation against the petitioner is of firing but none has received any injury and the allegation is general and omnibus and he has clean antecedent and except confessional statement, there is nothing against the petitioner.

Learned A.P.P. opposes the prayer for bail.

Having heard both sides and in view of the facts and circumstances as discussed above, the case of the petitioner is concerned, I am not inclined to grant bail to the petitioner, Accordingly, prayer of anticipatory bail is rejected with a direction to the petitioner that if the petitioner surrender before the court below within a period of six weeks from the date of order and make prayer for regular bail, which will be considered by the learned court below on its own merit without being prejudiced by this order of this Court.

This application is accordingly dismissed on the same day.

(Vinod Kumar Sinha, J)

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