

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20520 of 2020

Arising Out of PS. Case No.-597 Year-2019 Thana- PIRBAHOR District- Patna

Sahbaz Mobassir @ Saukat Ali @ Saukat Mian @ Shakat Ali @ Burhwa @
Shabaz Mobassir Son of Md. Yusuf Mian, Resident of Mohalla- S.S. Capital
Market, Muradpur Lane, P.S.- Pirbahore and District- Patna.... ... Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No. 2, Adv.
For the Opposite Party/s : Dr. Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

6 02-02-2021 Heard Mr. Manish Kumar No. 2, learned counsel for
the petitioner and Dr. Indihar Kumari, learned counsel for the
State.

In this case, the petitioner is seeking anticipatory bail
in connection with Pirbahore P.S. Case No. 597 of 2019
registered for offences under sections 341/323/307 and 506/34
of the Indian Penal Code.

In the allegation it has been mentioned that on
17.11.2019, the informant was going to Ginni house for
purchasing some articles where his brother Sahwaj Mubassir @
Saukat Miyan was there. In the morning he pointed out pistol
for killing him, thereafter he started fleeing and shouting. Police
personnel were present there who caught hold and seized his
arms, but his son Sabbir and one Md. Sattar and Md. Bhundu
scuffled with the police and took away Saukat Miyan but arms



of Saukat Miyan has been taken by the police. Saukat Miyan earlier threatened to kill the informant and his family members.

In paragraph 3 of this application, it has been stated that the petitioner has one criminal case i.e. Pirbahore P.S. Case No. 598 of 2019 registered for offences under sections 341, 323, 353, 225, 225 and 34 of the Indian Penal Code and section 25 (1-b) A, 26 and 35 of the Arms Act.

In the impugned order dated 17.02.2020, the court below has mentioned that there are nine cases pending over the head of the petitioner which he has denied and on that reason this Court, vide order dated 05.01.2021, has directed the Senior Superintendent of Police, Patna to verify the correctness of the statement recorded in the order of the court below and submit the report. The Court has also directed the petitioner to file supplementary affidavit explaining the statement made in the order impugned and sought report from the Senior Superintendent of Police, Patna about the correctness of the statement of nine cases lying pending against the petitioner which has been recorded in the order of the court below.

In supplementary affidavit, in paragraph 4, the petitioner has said with regard to Pirbahore P.S. Case No. 32 of 1989, he has no knowledge, Pirbahore P.S. Case No. 438 of



1989, he has no knowledge, Pirbahore P.S. Case No. 283 of 1994, he has no knowledge, Pirbahore P.S. Case No. 306 of 1994, he has no knowledge, Pirbahore P.S. Case No. 435 of 2009, he has no knowledge, Pirbahore P.S. Case No. 436 of 2009, he has no knowledge and Pirbahore P.S. Case No. 147 of 1994, he has been acquitted, Pirbahore P.S. Case No. 218 of 1998, he has been acquitted, Pirbahore P.S. Case No. 219 of 1998, he has been acquitted whereas the report of Senior Superintendent of Police, Patna, vide letter no. 142 dated 30.01.2021, informed this Court that the petitioner is an accused in nine cases but subject to certain correction that in item no. 8, Pirbahore P.S. Case No. 435 has wrongly been typed in place of Pirbahore P.S. Case No. 495 of 2009 and at serial no. 9, in place of Pirbahore P.S. Case No. 496 it has been typed as Pirbahore P.S. Case No. 436 of 2009 and in all the cases, the police has submitted charge sheet and Final Form against the petitioner.

The petitioner has suppressed the material from this Court.

In such view of the matter, this Court is not inclined to grant bail to the petitioner and accordingly his prayer for bail is dismissed with a cost of Rs.2,000/- (two thousand) that should be deposited by the petitioner in the Patna High Court Legal



Services Committee.

(Shivaji Pandey, J)

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