

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29982 of 2020

Arising Out of PS. Case No.-295 Year-2019 Thana- DESARI District- Vaishali

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Firoj @ Adil, Male, aged about 30 years, Son of Md. Ajim, Resident of
Village- Paharpur toi, P.S.- Desari (Sahdai O.P.), District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Singh, Advocate
For the Opposite Party/s : Mr.A.G

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 22-02-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Desarai (Sahdai O.P.) P.S. Case No. 295 of 2019 registered
for the offences punishable under Sections 302, 102(B) of the
Indian Penal Code.

The prosecution case is based on written statement of
informant Umesh Paswan (Chowkidar) dated 23.08.2019, which
was submitted to S.H.O. of Sahdai O.P., wherein he stated that
on 22.08.2019 at 6 A.M., when he was on duty, he got
information that the F.I.R. named accused persons along with
10-12 unknown were assaulting an unsound mind lady in the
impression of child thief, the informant informed the police
station and reached at the P.O. which was in front of house of
Asheshwar Sahni, he found that a dead body of unknown lady
was laying therein.

Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in the present case. He



further submits that there is general and omnibus allegation against the petitioner. He further submits that some co-accused have been granted bail by this Co-ordinate Bench of this Court.

I have perused the record including the case diary. In paragraph-19 of the case diary, the petitioner is identified to be present in C.C. T.V. footage.

Learned A.P.P. for the State has opposed the prayer for bail.

In the facts and circumstances of the case, I am not inclined to enlarge the above named petitioner on anticipatory bail. Accordingly, the prayer for anticipatory bail of the above named petitioner in connection with Desari (Sahdai O.P.) P.S. Case No.295 of 2019 pending in the court of learned C.J.M., Vaishali is hereby rejected. However, the petitioner is directed to surrender before the court below and the learned court below shall pass the order on the same day without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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