

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2184 of 2022

Arising Out of PS. Case No.-315 Year-2021 Thana- JOKIHAT District- Araria

MD. AWESH @ AWESH @ ABSHESH Son of Salim Resident of Village-
Rahitola Sisauna, P.S.- Jokihat, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar .

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Adv

For the Opposite Party/s : Mr. H.A. Khan, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 14-07-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

The petitioner apprehend his arrest in a case registered for the offence punishable under sections 392, 397 of the Indian Penal Code.

The allegation against the petitioner is that he along with others has indiscriminately assaulted on the head as well as hand of informant by means of dagger and also looted cash from the informant's side.

It is submitted by learned counsel for the petitioner that



petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. It is submitted that the petitioner is not named in the F.I.R. and his name came during the investigation. The petitioner has not been apprehended on the spot and has no concern with the co-accused persons. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, since the petitioner is a member of the syndicate who has looted the articles from the informant, I am not inclined to grant bail to the petitioner. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

This application is accordingly, dismissed.

(Anjani Kumar Sharan, J)

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