

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 14896 of 2022

Arising Out of PS. Case No.-790 Year-2021 Thana- AHIYAPUR District- Muzaffarpur

Md. Ashique Ansari @ Md. Aasik Ansari Son of Md. Sahebjaan Resident of
Village - Muradpur Dullah, P.S.- Ahiyapur, District - Muzaffarpur (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar, Adv.

For the Opposite Party/s : Mr. Rita Verma, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

3 22-11-2022 Let the defect(s), if any, be removed within two
weeks from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Ahiyapur P.S. Case No. 790 of 2021 lodged under section 394
of the Indian Penal Code.

As per the prosecution case, the allegation of *loot* of
Rs/- 20,000 by entering into the shop of the Rohit Kumar has
been made against the present petitioner. And upon oppose,
petitioner injured the said Rohit Kumar by knife blow in his
stomach and on the left hand and then the petitioner fled away.
The injured Rohit Kumar then informed his friend Bineet
Kumar and filed an F.I.R.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He also submits that F.I.R. has not been filed by victim Rohit Kumar rather it has been filed by somebody else. He further submits that petitioner is in custody since 13.11.2021 having 2 criminal antecedent against him, in which he is on bail in 1 case and in another case, he is persuading for bail. Charge sheet has already been filed in this case.

Upon specific query, whether charge has framed or not, learned counsel submits that he is not sure whether charge has framed or not.

Learned counsel for the State opposes the prayer for bail and submits that the injured person has identified the present petitioner and he himself is the eye of witness of the occurrence.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner, therefore, the present bail petition is hereby **rejected**.

Liberty is hereby given to the petitioner that he may renew his prayer for bail **4 months** after framing of charge.

Trial Court is directed to release the petitioner

thereafter by imposing its own conditions, so that he may not
evade his appearance during trial.

(Dr. Anshuman, J.)

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