

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16893 of 2022

Arising Out of PS. Case No.-73 Year-2021 Thana- UDAKISHUNGANJ District- Madhepura

Mohammad Irfan Son Of Reyaz Ansari Resident Of Village- Tirasi, P.S. Uda
Kishanganj, District - Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Anisur Rahman
For the Opposite Party/s : Mr.Sanjay Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 16-08-2022 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 three weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Section 379 of the Indian Penal Code.

It is submitted by learned counsel for the petitioner that petitioner is innocent, not named in the FIR and has been falsely implicated in this case. He submits that the petitioner has been made accused in this case on the basis of confessional statement of co-accused Sonu Kumar. He further submits that petitioner has no criminal antecedent as stated in



para-3 of this application.

Learned APP for the State opposes the prayer for bail and submits that the petitioner is also involved in this case.

Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. Accordingly, his prayer for anticipatory bail is rejected in connection with Uda Kishunganj P.S. Case No. 73 of 2021.

However, if the petitioner surrenders before the learned court below within a period of six weeks from today and prays for regular bail, the same shall be considered by the learned court below in accordance with law without being prejudiced by this order considering the fact that no incriminating article has been recovered from the possession of the petitioner.

(Anjani Kumar Sharan, J)

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