

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39159 of 2021

Arising Out of PS. Case No.-112 Year-2021 Thana- LAHERIYASARAI District- Darbhanga

Sonu Jain @ Irshad Ahmad Khan @ Irshad Ahmed Son Of Khurshid Ahmad
Khan Residence Of Village - Kathalwari, P.S.- L.N.M.U., Dist.- Darbhanga.
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kedar Jha

For the Opposite Party/s : Mr. Satyendra Prasad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 20-06-2022 Heard learned counsel for the petitioner and learned
APP 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 399/402 of
the Indian Penal Code and Section 25 (1-b)a/26/27/35 of the
Arms Act.

As per FIR, petitioner along with other were making
preparation for commit offence and they also fired upon the
police party.

Learned counsel for the petitioners submits that
petitioner is innocent and has been falsely implicated in this



case. He submits that the petitioner has been made accused on the basis of confessional statement of co-accused. He submits that no incriminating article has been recovered from the possession of the petitioner or the house of the petitioner.

However, learned APP for the State opposes the prayer for bail and submits that petitioner is also involved in the present 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 Laheriasarai P.S. Case No. 112 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 on the same day considering the fact that no incriminating article has been recovered from the possession of the petitioner.

(Anjani Kumar Sharan, J)

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