

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38414 of 2022

Arising Out of PS. Case No.-88 Year-2022 Thana- BALIYA District- Begusarai

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1. Md. Akbar S/O Md. Rijo R/O Village- Marar Nawtoliya, P.S.- Morkahi, District- Khagaria
 2. Salman @ Md. Salman S/O Alam @ Md. Alam R/O Village- Marar Nawtoliya, P.S.- Morkahi, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Sumiran Rai

For the Opposite Party/s : Mrs. Meena Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 15-11-2022 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioners 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 petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 457, 380, 414, 413 and 120(B) of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He submits that there is no specific overt act against the petitioners. He submits that there is general and omnibus



allegation levelled against the petitioners. He submits that there is no incriminating article has been recovered either from the possession of the petitioners or from their house. He submits that only allegation against these petitioners that they dropped the caught persons at the place of occurrence by their Scorpio vehicle. He further submits that petitioner no. 1 has no criminal antecedent whereas petitioner no. 2 has one criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail and submits that allegation as imposed against the petitioners are quite serious in nature.

Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioners on bail. Accordingly, their prayer for anticipatory bail is rejected in connection with Balia P.S. Case No. 88 of 2022.

(Anjani Kumar Sharan, J)

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