

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42545 of 2022

Arising Out of PS. Case No.-86 Year-2022 Thana- AMAUR District- Purnia

1. MD. SAFIK ANSARI Son of Salim Ansari Resident of Village - Kharhiya, P.S.- Amour, District - Purnea.
2. Gulam Rabbani @ Rabbani Son of Gulam Yahya Resident of Village - Kharhiya, P.S.- Amour, District - Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar Agrawal

For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 29-11-2022 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

Learned counsel for the petitioners is directed to remove the defects within four weeks.

The petitioners apprehend their arrest in connection with Amour P.S. Case no. 86 of 2022, in a case registered for the offence punishable under sections 461, 379/34 of IPC.

Allegedly, the petitioners committed theft at the grocery shop of the informant.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such



occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is no specific overt act against the petitioners. There is a delay of 5 days in lodging the FIR creates doubt about the prosecution case. There is no recovery from the conscious physical possession of the petitioner. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail by submitting that from the perusal of the impugned order it is clear that allegation of theft of grocery items from the shop of the informant is against the petitioners. He further submits that witnesses in para-9 and 10 of the case diary have fully supported the prosecution version.

Having regard to the facts and circumstances of the case and considering the detailed order passed by the learned court below, I am not inclined to enlarge the petitioners named above on bail. The prayer for grant of anticipatory bail on behalf of the petitioner is rejected.

This instant application is dismissed.

(Anjani Kumar Sharan, J)

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