

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42553 of 2022

Arising Out of PS. Case No.-39 Year-2022 Thana- BARGAINIA District- Sitamarhi

MD. FAIZAN MANSOORI @ FAIZAN MANSOORI @ CHOTE Son of
nasir Mansoori @ Nasir Ahmad @ Md. Naseer Miyan Resident of Village -
Chakwa, Ward No.8, P.S.- Bargainia, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Ravish Mishra, Advocate
For the State : Mr. Dilip Kumar No.1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 29-11-2022 Heard both sides.

The petitioner apprehends his arrest in connection with Bargainia P.S. Case No.39 of 2022, registered for the offences punishable under Sections 399 and 402 of the Indian Penal Code as well as Sections 25(1-b)a/26/35 of the Arms Act.

The prosecution case, in brief, is that on 13.02.2022, at about 11.30 p.m., the informant alongwith other police personnel proceeded for patrolling duty. The informant received confidential information that on the western side of the dam near Sinduriya dam, some persons have assembled for committing crime. The informant reached there. It is alleged that two persons were apprehended by the police and three other accused persons fled away from the place of occurrence after seeing the police.



Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. It is submitted that the petitioner has got one criminal antecedent as stated in paragraph-3 of the bail application. It is further submitted that the petitioner has been made accused in the present case on the basis of confessional statement of the co-accused, who were apprehended at the spot and the police has recovered arms and ammunition from possession of the apprehended accused persons.

Learned APP for the State opposed the prayer for anticipatory bail of the petitioner by submitting that though there is no recovery from the conscious possession of the petitioner, but the apprehended accused persons disclosed the name of the petitioner also.

Taking into consideration the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

(Anjani Kumar Sharan, J)

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