

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6819 of 2023

Arising Out of PS. Case No.-393 Year-2022 Thana- KISHANGANJ District- Kishanganj

Sarfaraj @ Sonu @ Sanfaraj S/O Isruddin R/O Village- Kalugaon, P.S.-
Dalkhola, Distt- Uttar Dinajpur (West Bengal).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mohammad Akhter Hussain

For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 08-05-2023 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with
Kishanganj P.S. Case No. 393 of 2022 registered for the
offences punishable under Sections 420, 409, 120B/34 of the
Indian Penal Code.

As per the prosecution case, all the FIR named accused
persons including the petitioner looted cash of Rs. 2.40 crore
from the cash van which was supposed to be loaded in the
S.B.I. ATM.

Learned counsel for the petitioner submitted that
petitioner is not named in the FIR but on the basis of
confessional statement of co-accused, the petitioner has made
accused in this case. No incriminating material has been



recovered from conscious possession of the petitioner. It is further submitted that petitioner has clean antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail.

Considering the nature of offence , It is not a fit case to grant privilege of anticipatory bail to the petitioner and accordingly, his prayer for anticipatory bail stands rejected.

However, if petitioner surrenders before the learned court below within a period of six weeks from today, and pray for regular bail, the learned court below shall consider the prayer for regular bail of the petitioner, preferably, on the same day without being prejudiced by this order.

N.K/-

(Anjani Kumar Sharan, J)

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