

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10229 of 2023

Arising Out of PS. Case No.-276 Year-2022 Thana- MUNGER MUFFASIL District- Munger

1. Md. Aslam Son Of Sammo R/O Village- Minnat Nagar, P.S.- Kashimbazar, District- Munger
2. Md. Raju Son Of Sammo R/O Village- Minnat Nagar, P.S.- Kashimbazar, District- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Patel

For the Opposite Party/s : Mr. Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 09-05-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in Muffasil
P.S. Case No. 276 of 2022 registered for the offences punishable
under Sections 379, 411, 414 of the Indian Penal Code pending
in the Court of learned Cheif Judicial Magistrate, Munger.

As per the prosecution case, when the informant
reached his office he found that the lock of the main gate was
broken and one monitor of HCL company, one battery of
150W, Inverter, CPU, Keyboard, mouse, UPS were missing. He
came to know that the petitioners were dealing with the stolen
articles behind the COVID Center. When he reached there, he



caught a person named Md. Irshad Alam having monitor of HCL company and he was apprehended for this. He also disclosed that he has purchased the same from the petitioners' shop. After that, the junk shop of the petitioners was searched and from there battery and 22 files of plan was recovered.

Learned counsel for the petitioners submits that no such occurrence as alleged ever took place. They have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that the petitioners have given money as a loan to Md. Irshad Alam and are asking for returning money back, due to that reason Md. Irshad Alam implicated petitioners in this case. He further submits that the petitioners have got one criminal antecedent as mentioned in para-3 of the bail application.

Learned APP for the State vehemently opposing the bail petition submitted that the apprehended person disclosed the name of the petitioners that he has purchased the monitor from the shop of the petitioners. Hence, they do not deserve privilege of anticipatory bail.

Considering the facts and circumstances of case, I am not inclined to enlarge the petitioners on anticipatory bail. The



prayer for anticipatory bail of the petitioners is hereby rejected.

However, if the petitioners surrender before the learned Court below within six weeks from today and seek regular bail, the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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