

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14505 of 2023

Arising Out of PS. Case No.-126 Year-2022 Thana- BIRPUR District- Supaul

Md. Munna @ Samim Alam @ Md. Samim Alam, Son of Md. Rafique Alam
@ Mohammad Rafik Alam @ Md. Rafique, R/V- Samda, Ward no. 12, P.S-
Ratanpura, Dist- Supaul Petitioner

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Advocate
For the Opposite Party/s : Mr. Rajiv Nayan, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 19-05-2023 Heard learned counsel for the petitioner and learned APP for
the State.

The petitioner in the present case is seeking pre-arrest bail in connection with Birpur P.S. Case No. 126 of 2022 registered for the offences punishable under Section 392 of the Indian Penal Code. He has got one criminal antecedent.

As per the prosecution story, On 11.05.2022 at about 6'O clock when the informant was going towards Bhimnagar, two miscreants intercepted him, in the meantime, another accused person assaulted him on his back by a sharp-edged weapon and snatched his bag containing Rs.50-60 lakhs, two mobiles, certain documents and key, thereafter, all of them fled away.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the name of the petitioner has transpired in the statement of apprehended accused.

Learned APP for the State has opposed the prayer for



anticipatory bail of the petitioner.

Having regard to the facts and circumstances of the case wherein it is alleged that two persons on the point of pistol intercepted the informant whereas the third person assaulted him by a sharp-edged weapon causing injury and then they took away the bag of the informant containing Rs.50,000/- and other articles, the name of the petitioner having been taken by the apprehended accused, this Court is not inclined to grant privilege of anticipatory bail to the petitioner.

The prayer for anticipatory bail of the petitioner is, thus, refused.

In case the petitioner surrenders and prays for regular bail in the court below within a period of four weeks from today, his prayer for regular bail shall be considered on its own merit without being prejudice by the order of this Court.

(Rajeev Ranjan Prasad, J)

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