

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18874 of 2023

Arising Out of PS. Case No.-35 Year-2018 Thana- JOGBANI District- Araria

Md. Atekul @ Md. Atebul Son Of Late Suleman Miyan Resident Of Village -
Fena Belahi, P.S.- Jogbani (Bathnaha), District - Araria

... .. Petitioner/s

Versus

1. The State of Bihar
2. Md. Liyakat Son of Late Husaini Miyan Resident of Village - Fena Belahi,
P.S.- Jogbani (Bathnaha), District - Araria.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gopal Kumar Jha
For the Opposite Party/s : Mr. Renu Kumari

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 23-06-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in Jogbani (Bathnaha) P.S. Case No. 35 of 2018 registered for the offences punishable under Sections 447, 448, 419, 420, 465, 467, 468, 323, 504, 120(B) and 349 of the Indian Penal Code pending in the Court of learned A.C.J.M.-V, Araria.

As per the prosecution case, the allegation against the petitioner is that, by committing forgery, he has taken loan on the name of the informant.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this



case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that, as a matter of fact, this case is counterblast of the Jogbani (Bathnaha) P.S. Case No. 18 of 2010, lodged against the sons of the informant in which the petitioner is a witness. The petitioner has also filed a case vide Complaint Case No. 497c of 2018 against the informant. The petitioner has got no criminal antecedent as mentioned in para-3 of the bail application.

Learned APP for the State vehemently opposing the bail petition submitted that specific overt act has been attributed against the petitioner.

Considering the facts and circumstances of case as well as nature of the offence, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

(Anjani Kumar Sharan, J)

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