

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25692 of 2023

Arising Out of PS. Case No.-242 Year-2015 Thana- HAJIPUR SADAR District- Vaishali

ASHIF @ ANSHU KHAN @ MD. ANSHU KHAN Son of Md. Aftab @
Mohammad Aftab Alam R/o Mohalla- Anwarpur PS- Town, dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar

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

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 14-07-2023 Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Sadar Police Station Case No. 242 of 2015, dated
23.05.2015, disclosing offences under Sections
420/406/120(B)/34 of the Indian Penal Code.

The prosecution case, on the basis of the First
Information Report, is that on 22.05.2015, the owner of Piyush
& Associates Pvt. Ltd. got information from his staff, namely,
Ajay Kumar, that while he was going to Patna from Hajipur on
his motorcycle after collecting due amount of Rs. 10,90,000/-
from shopkeepers, four unknown persons with two motorcycle,
intercepted him and fled away with money and motorcycle.

Learned Counsel for the petitioner submits that the



petitioner is not named in the First Information Report and his name transpired on the basis of the confessional statement of co-accused Mohd. Arshad. He further submits that no incriminating material and/or looted cash has been recovered from the possession of the petitioner.

I have heard learned counsel for the parties concerned and have gone through the material available on record, including the impugned order.

It appears that the petitioner has got criminal antecedent and his name transpired on the basis of the confessional statement of the co-accused Mohd. Arshad, which led to the recovery of some golden ornaments. In my view, in facts of this case, custodial interrogation of the petitioner may be necessary. Accordingly, I am not inclined to grant anticipatory bail to the petitioner.

This application is, accordingly, dismissed.

(Anil Kumar Sinha, J)

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