

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47685 of 2023

Arising Out of PS. Case No.-1112 Year-2022 Thana- SUPAUL District- Supaul

MD. AJAZ ANWAR @ MD. EJAZ ANWAR S/o- MD. ANWAR AHMAD
Mohalla- Hussain Chowk Ward no-22, Town Ps Dist- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Murari Narain Chaudhary, Advocate

For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 20-09-2023 Heard learned counsel for the petitioner and learned

A.P.P. for the State.

2. The petitioner apprehends his arrest in Supaul P.S.

Case No. 1112 of 2022 registered for the offences punishable under Section 406, 420, 120(B)/34 of the Indian Penal Code pending in the Court of learned C.J.M., Supaul/Incharge Successor Court.

3. As per the prosecution case, it is alleged that the petitioner in connivance with other other co-accused committed cheating by alluring the poor people to deposit up to 11,000/-, then accused persons will provide them articles of marriage ceremony of Rs. 38,000/-. By their assurance nearly 500 people deposited Rs. 11,000/- each to the accused persons, but accused persons did not fulfilled their assurance and fled away.

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



case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that there is no specific overt act against the petitioner. He further submits that the petitioner is in possession of all the vouchers and money receipts, which he had obtained during course of transaction and in fact he was not at all having any direct dealing with any of the beneficiaries or the members of said institution rather he had made of supply furniture to the purchasers in lieu of payment made to him. The petitioner has no criminal antecedent as mentioned in para-3 of the bail application.

5. Learned APP for the State vehemently opposing the bail petition submitted that specific overt has been attributed against the petitioner. Hence, he does not deserve privilege of anticipatory bail.

6. Considering the facts and circumstances of case and the nature of 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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