

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51867 of 2023

Arising Out of PS. Case No.-644 Year-2022 Thana- JOKIHAT District- Araria

QUAMRUZAMA son of Ramzan Ali Village- Chilhaniya Ps- Jokihat
Mahalgaon Dist- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Prasad Singh, Adv.

For the Opposite Party/s : Mr.Md. Anbzarul Haque Sahara, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 12-09-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 392 of the Indian Penal Code.

3. Allegedly, all the accused persons including this petitioner is said to have taken key of motorcycle and a bag containing cash Rs. 4,46,320/- and other documents on point of pistol.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged ever took place. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is totally false and based on concocted facts. Petitioner is not named in the FIR.



He has been made accused in the present case during the investigation as the apprehended person disclosed the name of the petitioner in his confessional statement. There is no evidence in the entire case diary to indicate the complicity of the petitioner in the present case. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for bail having relied upon the judgment of the Apex Court in the case of **Indresh Kumar V/s. The State of UP & Anr.** arising out of Criminal Appeal no. 938 of 2022.

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

7. However, if petitioner surrenders before the learned Court below within six weeks from today and seeks regular bail, the learned Court below shall pass order on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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