

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57300 of 2023

Arising Out of PS. Case No.-141 Year-2023 Thana- AMAUR District- Purnia

Noorul Haque @ Noorul S/O Late Rafit R/O Village- Kashibari, P.S. Amour,
Dist. Purnia. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

WITH
CRIMINAL MISCELLANEOUS No. 61537 of 2023

Arising Out of PS. Case No.-141 Year-2023 Thana- AMAUR District- Purnia

Md. Tahmid Alam @ Tahmid S/O- Kamaluddin R/O- Village- Rasaili, P.S.-
Amour, Dist- Purnia. Petitioner/s

Versus

The State of Bihar, Patna. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 57300 of 2023)

For the Petitioner : Mr. N.K. Agrawal, Sr. Advocate
Mr. Vikram Singh, Advocate

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

(In CRIMINAL MISCELLANEOUS No. 61537 of 2023)

For the Petitioner/s : Mr. Vikram Singh, Advocate

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 14-12-2023 As both these bail applications have cropped up from the same police station case number, hence, with consent of parties, they are being heard together and disposed of by this common order.

2. Heard Mr. N.K. Agrawal, learned senior counsel assisted by Mr. Vikram Singh, learned Advocate for the petitioners and learned A.P.P. for the State.

3. The petitioners apprehend their arrest in connection with Amour P.S. Case No.141/2023 for the offences punishable



under Sections 417, 419, 420, 465, 467, 468, 471, 472, 473, 474 and 120B/34 of the Indian Penal Code.

3. The petitioners along with other accused are said to have involved in doing the work of illegally withdrawing money for a long time by making fingerprints by downloading another person's Kewala on the electronic shop of co-accused, Raushan Zamir..

4. It is submitted by learned senior counsel for the petitioners that petitioners are quite innocent and have been falsely implicated in this case merely on suspicion merely on confessional statement of co-accused. The allegations levelled against the petitioners is general and omnibus in nature. It is further submitted that the false implication of the petitioners would further reveal by the fact that even online link of the petitioners has not been surfaced during course of investigation as the said material cannot be destroyed by anyone and can be retrieved by the aid of I.T. Act and as such the petitioners have been falsely implicated on mere suspicion. It is further submitted that during course of investigation also there no incriminating material has been collected or surfaced connecting the involvement of the petitioners save and except that the petitioners have been purported to be in association of



the other co-accused. Petitioners have no criminal antecedent as mentioned in para-3 of their respective application.

5. *Per contra*, learned APP for the State vehemently opposing the bail petition submitted that the allegations levelled against the petitioners is serious in nature, hence they do not deserve anticipatory bail.

6. Considering the facts and circumstances of case as well as the seriousness of the allegation, I am not inclined to enlarge the petitioners on bail. The prayer for bail of the petitioners is hereby rejected. However, if the petitioners surrender before the learned Court below within six weeks from today and seek regular bail the learned Court below would pass order in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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