

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70836 of 2022

Arising Out of PS. Case No.-59 Year-2019 Thana- SONBERSA District- Sitamarhi

MD. ANISH ANSARI @ MD. ANISH ALAM Son of Md. Jamshed Resident
of Village - Mushariya, P.S.- Parihar, District - Sitamarhi. At present Resident
of Village - Parsa, P.S.- Bela, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hans Lal Kumar

For the Opposite Party/s : Mr. Binod Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 28-02-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in Sonbarsa P.S.
Case No.59 of 2019 registered for the offences punishable under
Sections 395 & 397 of the Indian Penal Code and under Section
34 of the Explosive Substance Act pending in the Court of
learned C.J.M., Sitamarhi.

20 to 25 unknown miscreants are said to have
entered into the house of the informant after breaking the main
gate and one of the miscreants confined him on the point of
pistol and took away house hold articles including the
ornaments and cash of Rs.2,50,000/- and other items.

It is submitted by learned counsel for the petitioner



that no such occurrence as alleged ever took place. He has been falsely implicated in this case on the confessional statement of co-accused Mahesh Paswan. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. Petitioner has two criminal antecedents.

Learned APP for the State vehemently opposing the bail petition submitted that the considering the seriousness of the allegation the petitioner does not deserve anticipatory bail.

Considering the facts and circumstances of case, the nature of the allegation and the criminal antecedent, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected. However, if the petitioner surrenders 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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