

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.126 of 2023

Arising Out of PS. Case No.-387 Year-2022 Thana- MAJHAULIA District- West Champaran

SADDAM ANSARI @ SADDAM HUSSAIN son of Samsul Haque @
Samsul Haque Ansari R/V- Ward no. 5, Jaukatia, P.S- Majhaulia, Dist- West
champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Kumar Gupta

For the Opposite Party/s : Mr.Satya Nand Shukla

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 21-03-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 399, 400, 401, 402, 403, 411, 413, 414, 419, 420, 467, 468, 471, 472, 379 and 120(b) of the Indian Penal Code and Section 66 and 66(c) of the I.T. Act pending in the learned court below.

As per the prosecution case, the police, on a secret information, intercepted a Scorpio Vehicle bearing registration No. BR-05Q-0077 and also apprehended two persons, namely, Prakash Kumar and Brij Kishore, while two other persons succeeded in fleeing away. On search, several passbooks, cheque books, ATM Cards of different banks, Laptop, Mobile



Phones with SIMs and Aadhar Card were recovered from the said vehicle. It further alleged that three ATM Cards of different banks and one Mobile phone were also recovered from the pocket of co-accused Brij Kishore Kumar.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that the name of the petitioner was transpired during the confessional statement of the co-accused. He submits that from perusal of the FIR it appears that nothing recovered from the conscious possession of the petitioner. He further submits that similarly situated other co-accused person has already been granted bail by a bench of this Court vide order dated 06.02.2023 passed in Cr. Misc. No. 64953/2022. He further submits that petitioner have got no criminal antecedent as stated in para-3 of the bail application.

Per contra, learned APP for the State vehemently opposing the bail application and submitted that the allegation levelled as the petitioner is serious in nature. Hence, he does not deserve anticipatory bail.

Considering the arguments of the parties and nature of the offence, I am not inclined to enlarge the petitioner on bail in connection with Majhauria P.S. Case No. 387/2022.



Accordingly, his prayer for anticipatory bail is hereby rejected.

However, if the petitioner surrenders before the learned Court below within a period of six weeks from today and seeks regular bail, the learned Court below would pass the order, preferably, on the same day, without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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