

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3963 of 2024

Arising Out of PS. Case No.-113 Year-2015 Thana- BISFI District- Madhubani

MD. GAJALI @ MD. GAZALI @ MD. ADNAN GAJALI @ MD. JILAI
SON OF MAULVI HUSSAIN @ HUSSAIN AHMAD RESIDENT OF
VILLAGE - KATHAILA, POLICE STATION - BISFI (OP PATAUNA),
DISTRICT - MADHUBANI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abu Nasar, Advocate
For the Opposite Party/s : Mr. Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 07-02-2024 Heard Mr. Abu Nasar, learned counsel for the
petitioner and Mr. Upendra Kumar, learned APP for the State.

2. The petitioner is apprehending his arrest connection with Bisfi (Patauna) P.S. Case No. 113 of 2015, F.I.R. dated 17.05.2015 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 325, 326, 307, 337, 379, 504 of the Indian Penal Code and Section 27 of the Arms Act.

3. Allegation against the petitioner is that he assault the informant on his head by means of sword due to which he received injury and fell down on the earth.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely implicated in the present case. He further submits that the the



police after investigation submitted the final form in favour of the petitioner on 30.08.2018 and the petitioner was not sent up for trial in the supplementary chargesheet which was filed on 30.08.2018 and the learned Court below differing the police report has taken cognizance against the petitioner on 06.09.2019.

5. Learned APP for the State, on the other hand, vehemently opposed the prayer for bail and submits that the present F.I.R. was instituted in the year 2015 and thereafter cognizance has been taken in the year 2019 itself and the petitioner has not chosen to move for grant of anticipatory bail and he has filed the anticipatory bail before the learned Court below in the year 2023.

6. In view of the factual aspects, I am not inclined to grant the privilege of anticipatory bail to the petitioner in connection with Bisfi (Patauna) P.S. Case No. 113 of 2015 pending in the Court of Additional Chief Judicial Magistrate, Madhubani at Benipatti.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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