

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16708 of 2024

Arising Out of PS. Case No.-658 Year-2017 Thana- KATIHAR NAGAR District- Katihar

Md. Bablu Son of Md. Suleman Resident of Village- Katihar More,
Kokshibaag, Purnea, P.S.- Sadar, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Advocate

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 20-03-2024 Heard Mr. Ajit Kumar Singh, learned counsel

appearing on behalf of the petitioner and the learned Additional

Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection
with Katihar Town P.S. Case No. 658 of 2017, registered for the
offences punishable under Sections 420 and 379 of the Indian
Penal Code.

3. The FIR has been instituted against one 'Md.
Bablu' holder of mobile number 7631759057 with an allegation
that while the informant had gone to Mirchairbari for taking
vegetable, in the meantime, some unknown thief stolen his
valuables including mobile, ATM Card, Pan Card and some cash
amount from the *dicky* of the motorcycle. The informant in
course of search found that from his ATM Card, some



transaction has been made and an amount of Rs. 1,000/- has been credited in the account of 'Kurban Khan' and thereafter, said 'Kurban Khan' has transferred some amount to 'Raja Kumar' and this 'Raja Kumar' has transferred Rs. 2,900/- in the name of the petitioner.

4. It is submitted on behalf of the petitioner that save and except transfer of an amount of Rs. 2,900/- from the account of 'Raja Kumar' to his Paytm account, there is no other material suggesting his complicity. Submission has been made that the amount of Rs. 2,900/- transferred by an unknown person and he has no connection with co-accused 'Raja Kumar' and 'Kurban Khan'. It is further submitted that though the FIR has been instituted way back in the year 2017, but till date, the charge-sheet has not been submitted, however, recently the police started visiting the house of the petitioner and, as such, he is apprehending that he might be arrested and thus, the present application.

5. On the other hand, learned counsel for the State opposed the pre-arrest bail application and submits that the matter is of 2017, but till date, charge-sheet has not been submitted.

6. Considering the submissions made at the bar and



taking note of the fact that case is of 2017 and, till date, charge-sheet has not been submitted against the petitioner, this Court finds no reason to entertain the bail application, however, needless to observe that in case the charge-sheet has been submitted against the petitioner, he shall be at liberty to move before the Court by filing an appropriate application.

7. Accordingly, the present bail application stands disposed of.

(Harish Kumar, J)

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