

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19472 of 2024

Arising Out of PS. Case No.-121 Year-2022 Thana- BRAHMPURA District- Muzaffarpur

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HUSSAIN QURESHI @ MD. HUSSAIN QURESHI S/O MD. WASI R/O
JURANCHAPRA BATA GALI, MIT MUZAFFARPUR, P.S-
BRAHAMPURA, DISTT.- MUZAFFARPUR, BIHAR-842003

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Syed Raza

For the Opposite Party/s : Mrs. Sucheta Yadav

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 02-04-2024 Heard learned counsel for the parties.

2. The petitioner apprehends his arrest in connection with
Brahampura P.S. Case No.121 of 2022, registered for the
offence punishable under Sections 380, 411 and 413 of the
Indian Penal Code.

3. The allegation against the petitioner is that he is
involved in the theft of mobile phones from the house of the
informant.

4. It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. He
has been falsely implicated in this case. No such occurrence, in
the manner as alleged, has ever taken place. The allegation
levelled against the petitioner is not specific rather general and



omnibus in nature. The petitioner is not named in the FIR and his name transpired in the present case on the basis of confessional statement of apprehended co-accused. The mobile phones mentioned in the complaint does not have recovered from the possession of the petitioner. There is no recovery of incriminating article from the possession of the petitioner. Petitioner has one criminal antecedent.

5. Learned APP for the State opposed the prayer for anticipatory bail by submitting that the petitioner is also involved in the present case.

6. Having regard to the facts and circumstances of the case as well as considering that the petitioner has one criminal antecedent of similar nature of offence, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

7. This application is, accordingly, dismissed.

(Anjani Kumar Sharan, J)

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