

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29359 of 2024

Arising Out of PS. Case No.-4 Year-2024 Thana- HABIBPUR District- Bhagalpur

MD. FIRDOSH S/O MD. ISMILE R/O MOHALLA- KURBAN, P.S-
HABIBPUR, DISTT.- BHAGALPUR, BIHAR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madan Mohan
For the Opposite Party/s : Mr. Bharat Bhushan

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 18-09-2024 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Habibpur Police Station Case No. 04 of 2024, dated 08.01.2024, disclosing offences under Sections 387/307/34 of the Indian Penal Code and Section 27 of the Arms Act .
3. The prosecution case, as per the First Information Report, is that the informant is a property broker engaged in business of selling and purchasing of lands with his partners. The another co-accused person demanded extortion money from the informant and his parents. It has further been alleged that on 05.01.2024, the petitioner came to the house of the informant and demanded a sum



of Rs. 10 Lakh and threatened him of dire consequences if the demand was not fulfilled. Subsequently, on 08.01.2024, when the informant was going with his friend, he sustained fire arm injury and when he looked back he saw two motorcycle on which the petitioner, along with other accused persons, were sitting, having pistol in their hands.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case due to transaction between the informant and the petitioner. He further submits that the petitioner has grocery shop in his locality and there is no specific allegation that the petitioner has fired upon the informant. The petitioner is having no criminal antecedent.
5. On the other hand, learned counsel for the State vehemently opposes the prayer for bail and submits that the informant has sustained fire arm injury on his back and the petitioner is named in the FIR.
6. Regards being had to the submissions made on behalf of the parties and taking into consideration the nature of allegation and the fact that victim-informant has identified the petitioner holding gun in his hand and the



informant has sustained fire arm injury, accordingly, I am not inclined to grant the petitioner privilege of anticipatory bail.

7. This application is, accordingly, dismissed.

(Anil Kumar Sinha, J)

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