

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49266 of 2024

Arising Out of PS. Case No.-498 Year-2023 Thana- BAISI District- Purnia

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Md. Ashraf Son Of Mujaffer Resident Of Village - Bara Rehuwa, Police
Station - Amaur, District - Purnia

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Md Ziaul Quamar, Advocate

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

3 18-09-2024 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Baisi P.S. Case No. 498 of 2023 registered on 26.12.2023 for the offenses punishable under Sections 341, 323, 324, 307, 379, 34 of the Indian Penal Code and subsequently, Section 302 of the I.P.C. was also added.

3. As per the prosecution, the FIR has been lodged against one named and six unknown accused persons with an allegation of assaulting the informant's husband and snatching a mobile phone, cash amount, and gold locket from him on the point of a pistol.



4. It is submitted by learned counsel for the petitioner that the petitioner is innocent and has committed no offence. He further submits that the informant's categorical stand is that her husband went outside the house upon receiving a phone call and did not return. The name of the petitioner has not been disclosed in the FIR, but only on the basis of suspicion his name has come up in the present case. The antecedent of the petitioner is clean. He further submits that the case diary has been called for in this case.

5. Learned APP for the State vehemently opposes the prayer for bail and submits that the petitioner is not innocent and in paragraph Nos. 36 and 37 material has come and the petitioner has been identified in the CCTV footage also by some of the witnesses.

6. In this background, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner in connection with Baisi P.S. Case No. 498 of 2023, pending before the CJM, I/c Purnea is hereby rejected.

7. In case, the petitioner, surrenders before the Trial Court within four weeks from today and pray for regular bail then the Trial Court is directed to pass order on his surrender-cum-bail application on its own merit, on the same day without



being prejudiced that the anticipatory bail of the petitioner has
been rejected by this Court.

(Dr. Anshuman, J)

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