

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64329 of 2023**

Arising Out of PS. Case No.-32 Year-2023 Thana- BARURAJ District- Muzaffarpur

MD. AFROZ son of Md. Badre Alam Village- Kasba Ps- Mehshi Dist- East
Champanan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma, Sr. Adv. Mrs. Priyanka Singh, Adv.
For the Opposite Party/s	:	Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

7 12-07-2024 Heard learned Senior Counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in Baruraj
P.S. Case No. 32 of 2023 registered for the offences punishable
under Sections 120B, 121, 121A, 153A, 153B of the Indian
Penal Code and Sections 10 and 13 of the Unlawful Activities
Prevention Act.

3. As per the prosecution case, the allegation
against the petitioner is of hatching criminal conspiracy to
disrupt communal harmony and also disrupt the sovereignty
and territorial integrity of India.

4. Learned Senior Counsel for the petitioner submits



that the petitioner is innocent and has falsely been implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that the petitioner is made accused in the present case merely on the basis of confessional statement of the apprehended co-accused. He further submits that during the investigation no material has come to show any overt act of the petitioner to link him with the banned organization or him being involved in any kind of conspiracy at all. He is not member of the banned organization. The petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposed the prayer of anticipatory bail and submitted that the allegation against the petitioner is of serious nature.

6. Considering the facts and circumstances of case and the nature of the offence, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

7. However, if the petitioner surrenders before the learned Court below within six weeks from today and seek regular bail, the learned Court below would pass order on the same day in accordance with law without being prejudiced by



this order, considering the fact that the petitioner has no criminal antecedent.

(Anjani Kumar Sharan, J)

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