

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.74213 of 2024**

Arising Out of PS. Case No.-34 Year-2024 Thana- BIHARIGANJ District- Madhepura

Md. Naushad Alam @ Naushad, son of Md. Mustkim @ Md. Mustakim,  
Village- Sarauni Ward NO 12 PS -Bihariganj District -Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                            |   |                                                          |
|----------------------------|---|----------------------------------------------------------|
| For the Petitioner/s       | : | Mr. Krishna Prasad Singh, Sr. Adv.<br>Mr.Bhaskar Shankar |
| For the Opposite Party/s : |   | Mr.Raj Kishor Singh                                      |

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

- 218-10-2024
1.

Heard learned Senior Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2.

This application, for grant of anticipatory bail, arises out of Bihariganj Police Station Case No. 34 of 2024, dated 07.02.2024, disclosing offences under Sections 356/379 of the Indian Penal Code.
3.

The prosecution case, as per the First Information Report, is that on 07.02.2024, at about 11:30 AM, while the informant, along with her son, was returning from Bihariganj after withdrawing cash from the bank, the petitioner, along with other co-accused persons, armed with weapons, snatched the bag of the informant containing a sum of Rs. 3,26,000/-, ATM cards, mobile



having with sim no. 9801571609, bank passbook etc., on gunpoint and fled away.

4. Learned Senior Counsel for the petitioner submits that the petitioner has falsely been implicated in the present case on the basis of concocted story. He next submits that the petitioner was not present at the place of occurrence at the time of the alleged occurrence and his name has transpired on basis of misconception.
5. On the other hand, learned Additional Public Prosecutor vehemently oppose the prayer for anticipatory bail and submits that anticipatory bail application of similarly situated co-accused, Israil, has already been dismissed by this Court vide order, dated 28.08.2024, passed in Criminal Misc. No. 50076 of 2024 and from perusal of the impugned order, it would be evident that the petitioner has criminal antecedent of serious nature of cases.
6. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that the petitioner is named in the First Information Report, the allegation is that he committed loot in broad day light on gunpoint and from perusal of the impugned order, the petitioner has criminal antecedent of serious nature of



cases and anticipatory bail application of similarly situated co-accused, Israil, has already been dismissed by this Court, I am not inclined to grant the petitioner privilege of anticipatory bail.

7. This application is, accordingly, dismissed

**(Anil Kumar Sinha, J.)**

Prabhakar Anand/-

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