

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.77650 of 2024**

Arising Out of PS. Case No.-42 Year-2024 Thana- Bajitpur District- Darbhanga

Md. Ali Hussain @ Md. Raju @ Ali Husain Son of Abdul Kadir @ Md. Kadir  
Resident of Village- Ramnagar, P.S.- Nehra, Distt.- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Md. Ejaz Akhter, Adv

Mr. Rupesh Kumar, Adv

For the Opposite Party/s : Mr.Ashok Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY**  
**ORAL ORDER**

2      25-10-2024                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The instant application for anticipatory bail has been  
filed by the petitioner apprehending his arrest in connection with  
Bajidpur P.S. Case No. 42 of 2024 instituted for the offence under  
Sections 395 and 397 of the Indian Penal Code.

3. The case of the prosecution is that certain unknown  
miscreants took away Rs. 5,000/- along with two mobile phones  
from the informant and other. It is further alleged that they also  
assaulted them.

4. Learned counsel appearing on behalf of the  
petitioner has submitted that petitioner is innocent and has  
committed no offence. He has falsely been implicated in this  
case. The petitioner is not named in FIR rather his name has



transpired in this case on the basis of confessional statement of apprehended co-accused Pankaj Kumar Yadav before the police. It is further submitted by learned counsel for the petitioner that nothing has been recovered from the conscious possession of the petitioner. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent.

5. In contra, learned APP appearing for the State has vehemently opposed the prayer of bail of the petitioner.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Bajidpur P.S. Case No. 42 of 2024 he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned 2<sup>nd</sup> A.C.J.M.-VI, Darbhanga subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

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