

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85565 of 2023

Arising Out of PS. Case No.-316 Year-2023 Thana- KATIHAR NAGAR District- Katihar

Md. Asfaque @ Md. Asfaque Alam @ Asfaque Alam Son Of Late Md. Hussain R/O - Daheria, Azad Chowk, Ward No.38, P.S.- Katihar Town, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh

For the Opposite Party/s : Mr. Anant Kumar 1

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 16-01-2024 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in Katihar Town P.S. Case No. 316 of 2023 registered for the offences punishable under Sections 419, 420, 467, 468, 471 of the Indian Penal Code and Section 3/4 of the Gambling Act and Section 66 (D) I.T. Act, pending in the Court of learned C.J.M., Katihar.

3. As per the prosecution case, on the basis of secret information, the informant raided the place of occurrence and apprehended two persons who disclosed their names: Durga Sah and Amil Kumar Paswan. In course of search 7 cell phone, 2 laptop, 5 passbooks, ATM card as well as cash of Rs. 2,07,000/- recovered from possession of Durga Sah and 3 cell



phone and Rs. 50,000/- recovered from possession of Amit Kumar Paswan.

4. Learned 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 name of the petitioner has been disclosed by co-accused, Durga Sah. The petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State vehemently opposing the bail petition submitted that the petitioner is also involved in the present case. Hence, he does not deserve privilege of anticipatory bail.

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.

(Anjani Kumar Sharan, J)

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