

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85702 of 2023

Arising Out of PS. Case No.-137 Year-2022 Thana- FORBESGANJ District- Araria

Md. Saquib @ Saquib Jamal S/O LATE JAMALUDDIN @ JAMAL
RESIDENT OF VILLAGE- BOKRA, WARD NO. 4, P.S.- FORBESGANJ
(SIMRAHA), DISTRICT- ARARIA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gopal Jha

For the Opposite Party/s : Mr.Akshay Lal Pandit

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 Forbesganj
(Simraha) P.S. Case No. 137 of 2022 registered for the offences
punishable under Sections 461 and 379 of the Indian Penal Code
pending in the Court of learned C.J.M., Araria.

3. As per the prosecution case, it is alleged that the
petitioner along with other co-accused have committed theft of
clothes worth about Rs. 70,000/- from the shop of the
informant.

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 only on the basis of suspicion petitioner has been made accused in the present case. He further submits that there is no specific overt act against the petitioner. 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.

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.

(Anjani Kumar Sharan, J)

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