

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7995 of 2025

Arising Out of PS. Case No.-588 Year-2016 Thana- ARARIA District- Araria

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1. Gajnafar @ Mithu Son of Md. Kaiyum Ansari Resident of Village - Momin Tola Ward No.14, Panchayat - Belwari, P.S. - Baigachhi, District - Araria
 2. Salam Ansari Son of Md. Aleem Ansari Resident of Village - Momin Tola Ward No.14, Panchayat - Belwari, P.S. - Baigachhi, District - Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana
For the Opposite Party/s : Mr. Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 06-03-2025 1. Heard learned counsel for the petitioners and learned A.P.P. for the State, Shri. Rabindra Kumar.
2. The petitioners apprehend their arrest in connection with Araria P.S. Case No. 588 of 2016 registered for the offences punishable under Sections 379 and 411 of the Indian Penal Code.
3. Learned counsel for the petitioners submits that petitioners have antecedent of six cases and the informant alleges that he parked his motorcycle outside Sadar Hospital, Araria and went to see his cousin and when he came out, his motorcycle was missing and witnesses disclosed that Md. Sarwar was seen taking the bike.
4. Learned counsel for the petitioners next submits that petitioners have been falsely implicated in the instant case by the



informant. It is further submitted that even the witnesses have not disclosed that it was the petitioners who had taken the bike, rather had stated that it was Md. Sarwar, who was seen taking the bike. It is also submitted that since petitioners had antecedent of 6 cases, as such they came to be implicated during the course of investigation.

5. The learned APP, Shri. Rabindra Kumar, vehemently opposes the anticipatory bail application and submits that bail is not for mere asking. It is next submitted that from perusal of the FIR, it would manifest that the offence is of the year 2016 and the petitioners have moved this Court in the year 2025 seeking anticipatory bail and there is no pleading in the anticipatory bail application with regard to the delay in approaching the court for seeking anticipatory bail. It is thus submitted that privilege of anticipatory bail may not be extended to the petitioners.

6. Considering the submissions made by the learned APP, the Court is not inclined to extend the privilege of anticipatory bail to the petitioners.

7. Accordingly, the prayer for anticipatory bail of the petitioners is rejected.

(Satyavrat Verma, J)

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