

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.14533 of 2025

Arising Out of PS. Case No.-789 Year-2021 Thana- JAHANABAD District- Jehanabad

Firoz @ Mohamad Firoz Alam S/o- Sanaullah, Resident of Vill - Erki, P.S.
Jehanabad, Dist- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Kumar, Advocate
For the Opposite Party/s : Mr. Uday Chand Prasad, APP
For the informant : Mr. Aakash Choudhary, Advocate

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 01-09-2025 Heard Mr. Umesh Kumar, learned counsel appearing on behalf of the petitioner and Mr. Uday Chand Prasad, learned APP for the State and Mr. Aakash Choudhary, learned counsel for the informant.

2. The petitioner seeks pre-arrest bail in connection with Jehanabad Town P.S. Case No. 789 of 2021 registered for the offence(s) punishable under Sections 447,147,341,323,504,379,427,354B, of IPC.

3. As per the allegation made in the FIR, the petitioner is said to have disconnected the electric connection of the house



of the informant and took away some wife from there.

4. Learned counsel appearing on behalf of the petitioner submitted that earlier bail application of the petitioner was rejected by a co-ordinate Bench of this Court *vide* order dated 13.09.2023 passed in Cr. Misc. No.49602 of 2023. He further submitted that the petitioner is innocent and he has residency permit of State of Qatar which expired on 30.06.2024. The incidence took place in the year 2021 and whenever, the petitioner comes to India, due to enmity, villagers/informant lodges false case against him for one reason or another and altogether five criminal cases are pending against the petitioner. He further submitted that the petitioner is a peace loving person and the informant and other persons of his village just because of jealousy have harassed the petitioner by lodging false criminal cases against him.

5. Mr. Aakash Choudhary, learned counsel, has tendered his appearance on behalf of the informant and has submitted that the petitioner is a habitual offender and subsequent to the present FIR being Jehanabad Town P.S. Case No. 789 of 2021 which was lodged on 06.12.2021, two more cases were lodged against the petitioner, relating to Jehanabad Cyer P.S. Case No.36 / 2023 registered under Sections 384, 385,



354(C)/34 of Indian Penal Code and Section 66 of IT Act and Jehanabad Town P.S. Case No.1010/2023 registered under Sections 147, 448, 341, 323, 325, 354(B), 379 and 506 of Indian Penal Code. He further submitted that though the petitioner has brought on record the photocopy of residency permit which had already expired on 30.06.2024 and his contention that the petitioner is being harassed cannot be accepted in absence of any valid document brought on record.

6. Learned APP for the State also vehemently opposed the prayer for grant of pre-arrest bail.

7. Having considered the rival submissions made on behalf of the parties, as well as, the allegation made in the FIR and the manner in which the crime has been committed, the allegation appears to be not sustainable as no case was registered by the Electricity Department or by Power Holding Company against the petitioner for alleged theft of electric wire. However, considering the information that subsequent to the present FIR, in which the petitioner is seeking pre-arrest bail, two more criminal cases have been lodged against the petitioner which appears to be not in public interest, I am not inclined to grant pre-arrest bail to the petitioner.

8. The petitioner if so advised, may surrender before



the learned District Court and seek regular bail. In that case, the learned District Court is directed to consider the bail application of the petitioner same day and pass necessary order on the basis of material which has come in course of investigation without delay.

9. The present bail application stands disposed of.

(Purnendu Singh, J)

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