

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55985 of 2025

Arising Out of PS. Case No.-423 Year-2021 Thana- MAIRWAN District- Siwan

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Tuphani Sai S/O Salaoodin Sai R/O Vill.- Khaira Labhri, P.S.- Daraulli, Dist.- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar II, Advocate
For the Opposite Party/s : Mr. Syed Ehteshamuddin, A.P.P

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 27-08-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner is apprehending arrest in connection with Mairwa P.S. Case No. 423 of 2021 lodged on 20.12.2021, for the offence punishable under Section 395 of the Indian Penal Code, pending in the Court of Chief Judicial Magistrate, Siwan.

3. As per the prosecution, FIR has been lodged against six unknown persons against whom there is an allegation that they entered in the informant's shop and taken Rs.15,000/- to Rs.20,000/- from his counter on the gun point and fled away from their motorcycles.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that the petitioner has been falsely implicated in this



case due to mishandling of the police. The allegations are concocted and without basis of the facts. Counsel further submits that the petitioner has three criminal antecedents and he is on bail in all the cases.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that criminal antecedent of the petitioner is not clean as there are three cases pending against him and this aspect must be taken into consideration.

6. In the present facts and circumstances, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is hereby rejected with liberty that if, petitioner surrenders before the concerned Trial Court within a period of six weeks from today then in that case, the Trial Court is directed to pass order on his surrender-cum-bail application on the same day, without being prejudice that the anticipatory bail of the petitioner has been rejected by this Court and the Trial Court shall pass order on the merit of this case.

(Dr. Anshuman, J)

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