

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67977 of 2024

Arising Out of PS. Case No.-162 Year-2024 Thana- PUPRI District- Sitamarhi

Md. Naseer Sheikh @ Md. Nasri Sheikh @ Nasir Husain Son of Md. Aslam
Resident of Village- Belmohan, Halim Tola, PS- Pupri, District- Sitamarhi
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashhar Mustafa, Adv.
For the Opposite Party/s : Mr.Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 22-03-2025 Heard Learned Counsel for the petitioner, Learned
APP for the State and Learned Counsel for the Informant.

2. The petitioner is apprehending arrest in a case registered for the offences punishable in connection with Pupri P.S. Case No.162 of 2024 under Sections 341, 323, 354B, 376, 504 and 506 of the Indian Penal Code read with Section 67 of the Information Technology (Amendment) Act, 2000.

3. As per the prosecution, the FIR has been lodged against the petitioner against whom there is allegation of making physical relation by giving threat of making obscene photo and video viral of the informant. The allegation of assaulting the informant's brother is also there.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He submits that the petitioner has been falsely implicated in the present case. He further submits that there is case and counter case between the parties. He submits that the petitioner is named in



the F.I.R..

5. Learned Counsel also submits that antecedent of the petitioner is clean.

6. Learned APP for the State opposes the prayer for bail and submits that there is direct and specific allegation against the petitioner which is apparent from the F.I.R.

7. Counsel further submits that there is case and counter case between the parties. The first occurrence took place on 27.03.2024 thereafter, scuffling took place for which F.I.R. has been lodged earlier. Therefore, informant has filed the present F.I.R. later on after lapse of few days, but the genesis of the case is event of 27.03.2024.

8. In the present facts and circumstances, this Court is not inclined to grant anticipatory bail to the petitioner, therefore the bail application of the petitioner is hereby rejected.

9. However, trial court is directed to consider the regular bail application of the petitioner, if he surrenders within 4 weeks from today and prays for regular bail, then trial court shall pass order considering both the F.I.Rs., on merit without being prejudice of the present order preferably on the same day.

(Dr. Anshuman, J.)

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