

Junaid @ Junaid Alam vs The State Of Bihar on 25 October, 2024

Author: Rajiv Roy

Bench: Rajiv Roy

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42345 of 2024
Arising Out of PS. Case No.-94 Year-2023 Thana- KOTWA District- East
=====

JUNAID @ JUNAID ALAM S/O KARMULLAH R/O VILLAGE-
GOBINDAPUR, P.S- HARSIDHI, DISTT.- EAST CHAMPARAN.

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mrs. Namrata Mishra, Adv.
Mr. Chhote Lal Mishra, Adv.
For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 25-10-2024

Heard Mrs. Namrata Mishra, learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest in connection with Kotwa P.S. Case No.94 of 2022 instituted under Sections 395/412 of the Indian Penal Code lodged on 11.03.2023 by the informant, Md. Akhtar.

3. As per the prosecution story, the informant alleged that while he was coming from Samastipur with loaded chicken van and was to deliver at Jagdishpur, West Champaran, the named accused persons looted the van consisting of 22 Quintals of live chicken besides Rs. 70,000/-. They also resorted to assault. However, from the GPS fitted with the vehicle, it could be ascertained that it has been unloaded in the house of Sarfuddin Mian. Patna High Court CR. MISC. No.42345 of 2024(3) dt.25-10-2024 Accordingly, the F.I.R.

4. Learned counsel for the petitioner submits that nothing has been recovered from his conscious possession, he has given name of each and every person which clearly show that due to enmity, the innocents have been dragged. The last submission is that he has no criminal antecedent.

5. Learned APP opposed the prayer submitting that there is allegation of robbery/snatching of amount as also assault.

6. Though the petitioner has no criminal antecedent, he has been named by the informant, allegation of robbery is there, in that background, it would be appropriate that he seeks bail. Accordingly, the anticipatory bail application stands rejected.

7. However, if the petitioner prefers bail after surrendering within four weeks from today, the court concerned shall take into account the aforesaid facts narrated by the learned counsel by the petitioner and dispose it of preferably on the same day.

(Rajiv Roy, J)

perwez

U T

Patna High Court CR. MISC. No.42345 of 2024(3) dt.25-10-2024