

IN THE COURT OF DISTT. & ADDITIONAL SESSIONS JUDGE XXI, PATNA

A.B.P. No. 2316/2026
(Jakkanpur P.S.Case No.22/2019)

1.Sabir Ansari

2. Md. Ibrar Hussain

.....Petitioner

Versus

State of Bihar

ORDER

02.06.2026

1. Anticipatory bail petition filed on behalf of the petitioner, namely, **Sabir Ansari and Md. Ibrar Hussain** who are apprehending his in connection with **Jakkanpur P.S.Case No.22/2019** registered under sections-461, 379, 427/34 of IPC which is pending in the Court of Ld. ACJM-VIII, Patna has been moved by their learned counsel. The Ld. A.P.P for the State has appeared. Case diary is available on the record.

2. The case of the prosecution, in short, is that informant filed a written complaint before SHO Jakkanpur alleging therein that in the intervening night of 15.01.2029 and 16.01.2019 some unknown persons have committed theft at ATM machine of SBI installed at Mithapur Bus stand with the help of gas cutter machine and amount of Rs. 6,15,600/- have been stolen. On the basis of these allegations, the FIR has been lodged against unknown person.

3. Learned counsel for the petitioners submits that petitioner are innocent and they have committed no offence. Further submits that petitioners have been falsely implicated in this case. Further submits that petitioners are not named in FIR they were in judicial custody in connection with Kadamkuan P.S case no. 37 of 2019 and the IO has filed the petition for issuance of production warrant against the petitioners. Further submits that petitioners were arrested in Kadamkuan P.S case no. 37/2019 and a false confessional statement of accused was recorded with respect to complicity in the present case. Further submits that there is no legal evidence of allegation against the petitioners. Further submits that petitioners have not filed any anticipatory or regular bail before this court or before the Hon'ble High Court, Patna. Petitioners have three criminal antecedents. Further submits that petitioners are ready to furnish bail bond to the satisfaction of the court, Hence prayed for anticipatory bail.

4. On the other hand the learned A.P.P. for the State strongly opposed the anticipatory bail.

5. Heard. Perused the record as well as case diary. From perusal of record transpires

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that during investigation of case FIR no. 37/19 from P.S Kadamkuan accused persons namely Md. Alam Sher Raza , Sabir Ansari and Md. Ibrar Hussain were apprehended by police and they disclosed their complicity in the present case. IO of the present case moved an application for production warrant of accused for remanding the accused in the present case. Thereafter, an application was also moved on 17.10.2019 but the accused persons could not be remanded in the present case and they have been released on bail in 37/2019 P.S Kadamkuan. On 29.06.2024 notice u/s 41(A) has been sent to the accused persons. Allegations against the petitioner are that they have committed theft of amount of Rs. 6,15,600/- by cutting ATM machine, using gas cutter machine. Petitioner is previously involved in three other cases of similar nature.

6. Considering the above mentioned facts and circumstances and gravity of offence and petitioners' previous criminal involvement in similar nature offences, this court is of the view petitioners do not deserve to be released on anticipatory bail, this court does not inclined to grant bail to the petitioners. Hence the prayer for bail of the petitioners, namely, **Sabir Ansari and Md. Ibrar Hussain** is hereby **rejected**.

It is however, clarified that nothing expression herein above shall tantamount to an expression of opinion of merits of the case.

(Dictated).

Sd/-

(Sunita Rani)
Dist. &Addl. S.J.XXI,
Patna