

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.41754 of 2014**

Arising Out of PS.Case No. -121 Year- 2014 Thana -DAUDNAGAR District- AURANGABAD

Pramod Kumar son of Ramashish Yadav, resident of village Bhagwan  
Bigha, P.S. Daudnagar, District- Aurangabad.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

**Appearance :**

For the Petitioner/s :

For the Opposite Party/s :

**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH**

**ORAL ORDER**

2      28-04-2015      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

The petitioner apprehends arrest in Daudnagar P.S.  
Case No. 121 of 2014 dated 04.05.2014 instituted under Section  
379 of the Indian Penal Code.

The petitioner has been made accused on the basis of  
confessional statement of the person who was caught with the  
stolen motorcycle and is alleged to be the other man who is said to  
have run away from the place of occurrence where the motorcycle

was seized.

Learned counsel for the petitioner submits that he is neither named in the F.I.R. nor apprehended with the stolen motorcycle and only on the basis of confessional statement he has been made accused. It is further submitted that there has been no recovery from him and he has clean antecedent.

Learned A.P.P. opposes the prayer for anticipatory bail and submits that the police party had seen two persons with motorcycle and when they were asked to stop, they left the motorcycle and started running away and one person was caught while the other managed to escape and the person who was caught had taken the name of the petitioner as being the other person who ran away.

Considering the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to enlarge the petitioner on anticipatory bail.

The application, accordingly, stands dismissed.

**(Ahsanuddin Amanullah, J)**

Anjani/-

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