

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12671 of 2017

Arising Out of PS.Case No. -246 Year- 2015 Thana -RAMNAGAR District-
WESTCHAMPARAN(BETTIAH)

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1. Vinod Mahto @ Vinod Ojhaiya Son of Late Bhagelu Ojhaiya, Resident of
Village- Rupauliya, Police Station- Gaunaha, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No.-7, Adv

For the Opposite Party/s : Mr. Sri Uday Chand Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 07-04-2017

Heard both sides.

The petitioner apprehends his arrest in Ram Nagar P.S. Case No. 246 of 2015, for the offence punishable under Section 379 of the Indian Penal Code. The case was registered against unknown for theft of Bajaj Pulsar Motorcycle Bearing No. BR22Q-2430. Learned counsel for the petitioner submits that the petitioner is not named in the FIR. The name of the petitioner figured in Gaunaha P.S. Case No. 162 of 2015. The stolen motorcycle was said to have been recovered in front of the door of the petitioner's house and for that Gaunaha P.S. Case No. 162 of 2015, was registered. There is no material against the petitioner but only on the basis of confessional statement of co-accused, he has been made accused in this case.



Considering that it is the case of theft and the name of the petitioner figured in the confessional statement of co-accused and the stolen motorcycle was recovered in front of the door of the house of the petitioner, I am not inclined to enlarge the petitioner on anticipatory bail.

The prayer of anticipatory bail of the petitioner is hereby, rejected.

(Prabhat Kumar Jha, J)

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