

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55598 of 2016

Arising Out of PS.Case No. -329 Year- 2015 Thana -KHIJARSARAI District- GAYA

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1. Dharmendra Kumar, son of Sri Ram Rachiya Prasad @ Ramraksha Prasa
resident of Village - Gyan Bigha, P.S. Atri, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kunwar Narayan Jamuar

For the Opposite Party/s : Mr. Abhay Kumar Roy

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 12-01-2017 Heard both sides.

The petitioner apprehends his arrest in Khijarsarai
P.S. case No. 329 of 2015 under Section 379 of the Indian Penal
Code.

The informant lodged the case against unknown for
theft of his motor cycle bearing registration No. BR 21E-9800.

The learned counsel for the petitioner submits that
petitioner is innocent and he has, in fact, committed no offence.
The name of the petitioner figured in the case in the confessional
statement of co-accused Lokesh Kumar from whose stolen motor
cycle was recovered. The petitioner is a student of Intermediate
and he is studying in Nawada but it appears that besides
confessional statement of Lokesh Kumar, from whose possession



stolen motor cycle was recovered, witnesses have also stated that petitioner is also member of the gang who used to commit theft of motor cycles. The petitioner has got criminal antecedent also and he is accused in two other criminal cases registered under section 414 and 34 of the IPC.

Considering the facts aforesaid and the nature of allegation made against the petitioner, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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