

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44080 of 2017

Arising Out of PS.Case No. -33 Year- 2017 Thana -KOTWA District-
EASTCHAMPARAN(MOTIHARI)

=====

Suraj Kumar @ Niket Kumar, Son of Ajay Kumar Singh, Resident of
Village+P.S.- Kotwa, District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Karandeep Kumar

For the Opposite Party/s : Md. Ansarul Haque

=====

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

2 20-09-2017 Heard the learned counsel for the petitioner as well as
the learned A.P.P. for the state.

In this application for anticipatory bail the petitioner apprehends his arrest in connection with Kotwa P.S. Case No. 33 of 2017 for the offence punishable under section 379 of the I.P.C.

Allegedly, the petitioner and his associates after breaking the lock of Super Splendor motorcycle of the informant and after showing fear to the servant Upender Paswan they took away the motorcycle of the informant.

Submission is of false implication and that the informant and the petitioner are neighbour, the petitioner has been implicated due to enmity, the prosecution story appears not



probable and reliable, nothing has been recovered up till now and as such the petitioner deserves sympathetic consideration.

The learned A.P.P. opposes prayer for pre-arrest bail of the petitioner by submitting that the servant Upendra Paswan has seen the petitioner breaking the lock of the motorcycle and when he protested the petitioner pointed out Nalkatwa.

In the facts and circumstances stated above, considering the allegation, I am not inclined to grant privilege of pre-arrest bail to the petitioner and accordingly his such prayer stands rejected in connection with the aforementioned case pending in the court of C.J.M. East Champaran at Motihari.

(Jitendra Mohan Sharma, J)

Abhay/-

U		T	
---	--	---	--

