

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13628 of 2019

Arising Out of PS. Case No.-110 Year-2018 Thana- SAMASTIPUR District- Samastipur

Md. Sajad @ Md. Sajjad Son of Asmat Ansari, Resident of Village-
Lakhanipur, Maheshpatti, P.S.- Ujiyarpur, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dilip Kumar Roy

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 07-03-2019 Heard both sides.

The petitioner apprehends his arrest in Samastipur (Town) P.S. Case No.110 of 2018 registered under Sections 379 and 511 of the Indian Penal Code and later on Sections 411 and 414 of the Indian Penal Code were also added.

The informant Anshu Raj disclosed that his motorcycle was standing in the rented house of Sharda Sinha. On 14.04.2018 when he came to his rented house, he saw that two persons were starting his motorcycle, on such the informant raised hulla and thereafter both persons started fleeing away. One of the accused has apprehended on chase who disclosed his name as Akhilesh Kumar who also disclosed the name of petitioner as his accomplice who had come to steal the motorcycle of the informant but they could not be able to steal



the motorcycle because the informant arrived at that time.

Learned counsel for the petitioner submits that the petitioner is innocent. His brother runs a garage. He has no manner of concern with Akhilesh Kumar who disclosed the name of petitioner on account of some personal grudge. The petitioner has got no criminal antecedent but from perusal of the F.I.R. it appears that the petitioner and Akhilesh Kumar made an attempt to steal the motorcycle of the informant but the informant arrived there at that time and they were prevented from stealing his motorcycle. The accused was apprehended on chase. Later on the garage of the petitioner was also searched and from there stolen motorcycle was recovered.

Having considered the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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