

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7616 of 2020

Arising Out of PS. Case No.-100 Year-2019 Thana- TANKUPPA District- Gaya

RAM PUKAR KUMAR @ RAM PUKAR YADAV Son of Arun Kumar @
Arun Yadav Resident of Village - Manakdiha, P.S.- Tankuppa, Distt - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sheikh Arkan Ahmad

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

4 03-09-2020 As of now, the Courts have not resumed normal physical hearing. The matter has been listed today for consideration through Video Conferencing.

Learned counsel are appearing and making submissions from their residence. The Court master and Secretary are also part of this virtual Court proceedings with the aid of audio visual technology.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner apprehends his arrest in connection with Tankuppa P.S. Case No. 100 of 2019 instituted for the offence under Section(s) 379,411/34 of the Indian Penal Code.



The informant has lodged the case alleging that a motorcycle which was parked at the gate of his house in the night was found missing. The two other motorcycles have also been stolen on the same night. The F.I.R. has been lodged against unknown persons.

It is stated by the petitioner's counsel that the name of the petitioner has surfaced only on the confessional statement of co-accused from whom the recovery of three motorcycles is alleged. Other than that there is nothing to connect the petitioner with the allegation. He further submits that having no criminal antecedents, he should be enlarged on anticipatory bail.

The learned APP draws the attention of the Court towards the order of rejection by the Court of Additional District and Sessions Judge, Gaya, dated 02.01.2020, wherein, considering the materials collected during the course of investigation, he has taken note of the fact that the petitioner was, in fact, driving the motorcycle at the time of its recovery. He fled away and the pillion, namely, co-accused Arvind Kumar was arrested from the place. The said co-accused has even been denied regular bail by the



Court.

Considering the gravity of allegations and the rival submissions of the parties, this Court does not find it a fit case for grant of anticipatory bail to the petitioner.

Prayer is rejected.

(Madhuresh Prasad, J)

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