

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76766 of 2019

Arising Out of PS. Case No.-63 Year-2014 Thana- KISHANGANJ District- Kishanganj

Manzar Khan @ Md. Manzar, Son of Rashid Khan, Resident of village-
Koimari Ward No.-8, P.S.- Bahadurganj, District- Kishanganj.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mrs. Lalita Kumari, Advocate
For the Opposite Party : Mrs. Suman Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

4 22-06-2020 Heard learned counsel for the petitioner and
learned counsel for the State via video conferencing.

By way of the present application, the petitioner has sought for pre-arrest bail in connection with Kishanganj P.S. Case No.63 of 2014 registered for the offences punishable under Sections 457, 380 and 411 of the Indian Penal Code.

As per prosecution case, the informant's motorcycle was stolen from his house after breaking the lock of grill in the night intervening between 1/2.02.2014. When he raised alarm, three persons riding on the stolen motorcycle were chased by the villagers, but two of them managed to escape. The one, who was caught by the villagers disclosed his name as Muzaffar and name of his accomplices as Md. Nazir and Md. Manzar.



Learned counsel for the petitioner submitted that the petitioner was not apprehended with the stolen motorcycle. His name was given by the apprehended accused out of enmity. She further contended that the petitioner has got no criminal antecedent and is not likely to abscond or tamper with the evidence.

Per contra, learned counsel appearing for the State has vehemently opposed the application for grant of pre-arrest bail to the petitioner. He contended that the petitioner was an active participant in lifting the motorcycle of the informant from his house. The occurrence is of 2014 and since then, he is absconding. The police have completed the investigation and submitted charge-sheet before the court showing him as an absconder.

Considering the submissions advanced on behalf of the parties, I am not inclined to grant pre-arrest bail to the petitioner. The application is rejected.

(Ashwani Kumar Singh, J.)

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