

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65639 of 2019

Arising Out of PS. Case No.-301 Year-2018 Thana- TRIVENIGANJ District- Supaul

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Abdhesh Kumar Amar, Son of Bhagvat Yadav @ Bhagvat Prasad Yadav,
Resident of Village-Moura Khap, Police Station-Shankarpur, District-
Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun
For the Opposite Party/s : Mr. Jagdhar Prasad

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 05-03-2020 Heard learned counsels for the petitioner and the

State.

The petitioner is apprehending arrest in a case
registered for the offence under Section 379 of the IPC.

The prosecution case, as per the written report of
Niranjan Kumar submitted to the Station House Officer,
Tribeniganj Police Station, is to the effect that on 03.08.2018,
the motorcycle of the informant was stolen from his house,
leading to registration of FIR against unknown persons.
Subsequently, the motorcycle of the informant was recovered



from co-accused, Ranbir Kumar, who confessed that with the assistance of the petitioner, he committed theft of alleged a motorcycle.

It is submitted by learned counsel for the petitioner that no recovery has been made from the petitioner and the petitioner was not apprehended from the spot. The name of the petitioner sprang up on the confession of apprehended co-accused person. A statement has been made in paragraph no.3 that the petitioner is also made accused in on other case, in which he is on bail.

Learned APP, after going through the case diary, submits that the name of the petitioner sprang up on the confession of apprehended co-accused person, from whose confession, alleged motorcycle has been recovered.

Considering the nature of accusation, this Court is not inclined to grant anticipatory bail to the petitioner.

Accordingly, the prayer for anticipatory bail is rejected.

However, learned Court below may consider the prayer for regular bail of the petitioner, if he surrenders within a period of six weeks in connection with Tribeniganj P.S. Case No. 301 of 2018 pending in the Court of learned Additional



Chief Judicial Magistrate- 1st, Supaul.

Accordingly, the present application stands disposed
of.

(Dinesh Kumar Singh, J.)

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