

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11849 of 2021

Arising Out of PS. Case No.-168 Year-2018 Thana- PATEPUR District- Vaishali

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RANJAN KUMAR, (Male), aged about 26 years, Son of Sri Kavindra Ray,
Resident of Village - Bardiha Turki, P.S.- Patepur, Dist.- Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Anil Kumar, Advocate
For the Opposite Party : Mr. Bharat Bhushan, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 18-01-2022 Due to the third wave of COVID-19 Pandemic, the

matter is being taken up by way of Virtual Court proceeding.

The matter has been listed under the heading ‘For
Orders’ under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioner and learned
A.P.P. for the State through Virtual mode.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the office, within a period
of four weeks after restoration of normalcy.

The petitioner is apprehending his arrest in connection
with Patepur P.S. Case No. 168 of 2018 for the offence
registered under Section 392 of the I.P.C.

The prosecution story, in brief, is that on 01.10.2018
at about 9.30 P.M., three miscreants riding on a Motorcycle



came and dashed the Motorcycle of the informant bearing Registration No. BR06 BJ 5273, and looted the said Motorcycle alongwith cash Rs. 20,000/- and a Mobile Phone. The said incident had taken place near Village-Wajitpur and Malpur, when the informant and pillion driver Chhotu Kumar were returning from Patna.

It has been submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner is not named in the F.I.R. The name of the petitioner has transpired in the present case on his confession made before the police. There is no recovery of any looted articles from possession of the petitioner.

On behalf of the learned counsel for the State, it has been submitted that though the petitioner is not named in the F.I.R. but the looted Motorcycle which is the subject matter of the present case, has been recovered on the confession made by the petitioner.

Considering the fact that the confession of the petitioner has led to the recovery of looted Motorcycle which is the subject matter of the present case, I am not inclined to grant



anticipatory bail to the petitioner. The same is rejected in connection with Patepur P.S. Case No. 168 of 2018, pending in the court of learned A.C.J.M.-III, Vaishali at Hajipur.

If the petitioner surrenders in the learned court below and prays for regular bail the same shall be considered by the learned court below on its own merit without being prejudiced by the order of this Court.

(Sudhir Singh, J)

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