

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19392 of 2021

Arising Out of PS. Case No.-63 Year-2020 Thana- RAGHOPUR District- Vaishali

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KANCHAN RAY Son of Ishwar Ray @ Ramishwar Ray Resident of Village-
Jafrabad Dih P.S.-Rustampur O.P., District-Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vijay Kumar Sinha

For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 13-05-2022 Heard the learned counsel for the petitioner and the

learned APP for the State.

The petitioner seeks bail in anticipation of his arrest in
connection with Raghopur (Rustampur O.P.) P.S. Case No. 63 of
2020 instituted for the offences under Sections 414 and 34 of the
Indian Penal Code.

From near the house of the petitioner, four stolen
motorcycles are said to have been recovered.

The learned counsel for the petitioner has submitted
that the place from where the recovery has been made does not



belong to him and he has no concern whatsoever with such stolen motorcycles. It has further been submitted that the accusation against the petitioner is based on suspicion only without there being any connecting material to support the same.

However, on perusal of record, it appears that several motorcycles were recovered from near the houses of many of the accused persons. All these motorcycles appear to the investigator to be stolen motorcycles.

Considering such large number of motorcycles having been recovered from near the houses of accused persons, I am not inclined to grant anticipatory bail to the petitioner.

The petitioner, though had stated in the paragraph -3 of the bail petition that he has no criminal antecedent but later he has filed supplementary affidavit bringing on record the fact that earlier he was made accused in a case of Excises Act, in which he has been granted bail.

Nonetheless as noted above, considering the nature of accusation, I am not inclined to grant anticipatory bail to the petitioner.

The prayer for anticipatory bail is rejected.

However, if the petitioner surrenders before the court



below and seeks bail, all such grounds in his favour shall be
looked into without being prejudiced by the fact that the present
petition on his behalf has not been entertained.

(Ashutosh Kumar, J)

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