

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.44907 of 2022**

Arising Out of PS. Case No.-33 Year-2022 Thana- ALOULI District- Khagaria

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MOHHAMAD JAMSHED Son of Mohhamad Rajjak R/o Village - Bailahi,  
Ward No.- 14, P.S.- Belahi, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Shekhar Kumar Singh, Advocate  
For the Opposite Party/s : Mr. Tarun Prasad Mandal, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      15-12-2022                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 392 of the Indian Penal Code.

Learned counsel for the petitioner submits that petitioner has antecedent of one case under Section 341 and 342 of the IPC and is the *Ex-Mukhiya* of the village Panchayat and his wife is the present *Mukhiya* and the informant alleges that on 15.01.2022 at about 03:00 PM while he was going to his matrimonial home when in between Sahsi and Dera, the culprits intercepted him and on point of gun looted his motorcycle bearing No. BR 07 AJ- 7562 along with his driving license, PAN Card, identity card and cash Rs. 7,200/- and the culprits were



three in number.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case, it is next submitted that his wife is sitting *Mukhiya* of the Panchayat presently and he was *Ex-Mukhiya*, it is next submitted that people in large number come to his house for work and it may be a possibility that the looted motorcycle was parked near the gate of the petitioner's house, it is also submitted that from perusal of the seizure list, it would manifest that the seized motorcycle was without registration number and as such it cannot be alleged with certainty that the seized motorcycle was the same which is alleged to have been looted by the petitioner, it is further submitted that petitioner belongs to a political family and would never indulge in such activity, it is also submitted that informant till date has not filed any application for getting the seized motorcycle released which also creates doubt that as to whether it was the looted motorcycle which was recovered or it was someone else motorcycle without registration number which was parked outside his gate, was seized and alleged to have been shown as looted motorcycle.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.



Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Alouli P.S. Case No. 33 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

**(Satyavrat Verma, J)**

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