

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53890 of 2022**

Arising Out of PS. Case No.-247 Year-2022 Thana- MADHUBANI TOWN District-
Madhubani

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BHAGWAN JI DAS SON OF GUDAR DAS R/O VILLAGE- HARINE
WARD NO.-02, P.S.- HARLAKHI, DISTRICT- MADHUBANI.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ratanakar Jha

For the Opposite Party/s : Mr.Humayou Ahmad Khan

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 15-12-2022 Heard both sides.

The petitioner apprehends his arrest in connection with Nagar P.S. Case No.247 of 2022, registered for the offences punishable under Sections 413, 414, 420, 468, 471 and 34 of the Indian Penal Code.

Allegation against the petitioner and other co-accused persons is of stealing the motorcycle.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. The petitioner has got one criminal antecedent as stated in paragraph-3 of the bail application. It is further submitted that name of the petitioner surfaced in the case in the confessional statement of the co-accused, who was apprehended at the spot. The apprehended accused disclosed that they used to



steal the motorcycles and sell the same in Nepal. It is also submitted that there is no compliance of Section 100 of the Code of Criminal Procedure.

Learned APP for the State opposed the prayer for anticipatory bail of the petitioner by submitting that petitioner is an active member of the syndicate involved in stealing motorcycles.

Considering the fact that petitioner is an active member of the gang involved in stealing motorcycles, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

(Anjani Kumar Sharan, J)

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