

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57776 of 2022

Arising Out of PS. Case No.-340 Year-2022 Thana- BANKA District- Banka

Vinay Kumar Son of Babban Bahadur Singh Resident of Amarpur Road, P.S.-
Banka, District - Banka.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance:

For the Petitioner : Mr. Md. Najmul Hodda, Advocate
For the Opposite Party : Mr. Sanjay Kumar Sharma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 20-12-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in a case registered
for the offence punishable under sections 379 of the Indian
Penal Code.

Allegedly, the informant is said to have parked his
Apache Motorcycle bearing Reg. No. BR 51H 0177 in PHED
office parking area having paid Rs. 20 vide receipt no. 1921.
The same was not to be found when the informant returned.

It is submitted by learned counsel for the petitioner that
petitioner has been falsely implicated in this case. Petitioner has
no criminal antecedent. Learned counsel for the petitioner
submits that the petitioner is doing part time job under the co-
accused. He further submits that neither any case is made out
under section 379 of the IPC against the petitioner nor any



incriminating article has been recovered from the conscious possession of the petitioner.

Learned APP for the State vehemently opposed the prayer for anticipatory bail application as there is direct allegation of selling the motorcycle of the informant.

Having regard to the facts and circumstances of the case, I am not inclined to grant anticipatory bail to the petitioner. The prayer for grant of anticipatory bail to the petitioner is hereby rejected. However, petitioner is directed to surrender before the learned Court below within a period of six weeks from today and seek regular bail and the learned Court below would pass the order, preferably, on the same day, in accordance with law.

This application is accordingly, dismissed.

(Anjani Kumar Sharan, J)

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