

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6847 of 2023

Arising Out of PS. Case No.-57 Year-2022 Thana- BETTIAH CITY District- West
Champaran

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SURAJ KUMAR Son of Late Kashi Sah @ Kashinath Prasad Resident of
Paschim Kargahiya, P.S.- Kalibagh O.P., District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey
For the Opposite Party/s : Mr.Ramchandra Sahni

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 08-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner apprehends his arrest in connection with
Bettiah (Town) P.S. Case No.57 of 2022, registered for the
offences punishable under Sections 379, 411, 413, 414 and 34 of
the Indian Penal Code.

The accusation against the petitioner is of stealing the
motorcycle.

Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in the
present case. The petitioner has got seven criminal antecedents
as stated in paragraph-3 of the bail application. It is further
submitted that no specific overt act is alleged against the



petitioner. No incriminating article has been recovered from conscious possession of the petitioner. It is submitted that only on the basis of confessional statement of a co-accused, the petitioner has also been made accused in the present case. It is also submitted that no specific allegation is made against the petitioner in the entire case diary.

The learned APP for the State opposed the prayer for grant of anticipatory bail to the petitioner.

Taking into consideration the nature of offence, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the prayer for grant of anticipatory bail to the petitioner is rejected.

However, if petitioner surrenders before the learned court below within a period of six weeks from today and prays for regular bail, the learned court below shall consider the prayer for regular bail of the petitioner preferably on the same day without being prejudiced by this order.

(Anjani Kumar Sharan, J)

S.KUMAR/-

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