

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9982 of 2023

Arising Out of PS. Case No.-384 Year-2015 Thana- KATIHAR NAGAR District- Katihar

Aniket Kumar S/O Sanjay Prasad Singh @ Sanjay Kumar Singh R/O Village-
Baniya Tola, Durgapur, P.S.- Katihar Town, Distt- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimal Kumar

For the Opposite Party/s : Mr. Sangeeta Sharma

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 19-06-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in Katihar Town
P.S. Case No. 384 of 2015 registered for the offences punishable
under Sections 379 of the Indian Penal Code in which Section
411 of the Indian Penal Code has also added subsequently,
pending in the Court of learned C.J.M., Katihar.

As per the prosecution case, the informant Shankar
Sah parked his motorcycle in the premises of United Bank,
Katihar and went inside the bank, when he returned back he
found that his motorcycle is missing.

Learned counsel for the petitioner submits that the
petitioner has been falsely implicated in this case. The
allegation levelled against the petitioner is not specific rather



general and omnibus in nature. He submits that the petitioner is not named in the F.I.R., the name of the petitioner has been surfaced in the present case on the basis of confessional statement of co-accused Bhola Kumar. On the basis of confessional statement co-accused Bhola Kumar, the said motorcycle was recovered from the house of one Lakhan Lal Mahaldar. The petitioner has one criminal antecedent as mentioned in para-3 of the bail application.

Learned APP for the State opposes prayer for anticipatory bail.

Considering the facts and circumstances of case and the nature of the offence, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

However, if the petitioner surrenders before the learned Court below within six weeks from today and seek regular bail, the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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