

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13323 of 2023**

Arising Out of PS. Case No.-117 Year-2022 Thana- CHHAURADANO District- East
Champaran

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CHHENI KUMAR @ ARVIND KUMAR @ ARVIND Son of Kamleshwar
Rai @ Kamleshwar Yadav R/v- Vindhya wasini, P.S.- Mahuwa, District- East
Champaran at Motihari

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar

For the Opposite Party/s : Mr. Shyam Bihari Singh

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 12-05-2023 Heard the parties.

The petitioner apprehend his arrest in connection with
Chhauradano (Mahuwa) P.S. Case No.117 of 2022, registered
for the offence punishable under Sections 414, 34 of the Indian
Penal Code.

The allegation against the petitioner is that he alongwith
others were trying to sell theft motorcycle. One person was
apprehended by the police and he disclosed the name of the
petitioner.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and have committed no offence. He
has been falsely implicated in this case. No such occurrence, in
the manner as alleged, has ever taken place. The allegation



levelled against the petitioner is not specific rather general and omnibus in nature. There is no specific overt act against the petitioner. He has been made accused in the present case merely on the basis of suspicion and confessional statement of apprehended co-accused namely, Kundan Kumar. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

This application is accordingly, dismissed.

However, if the petitioner surrenders before the learned Court below within a period of six weeks from day, and seek for regular bail, the learned Court below shall pass the order on the same day in accordance with law, considering the fact that the petitioner has no criminal antecedent.

(Anjani Kumar Sharan, J)

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