

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10402 of 2023

Arising Out of PS. Case No.-88 Year-2022 Thana- NAWADA District- Nawada

BIKRAM KUMAR @ VIKRAM KUMAR S/O Satyendra Yadav @
Satyendra Prasad R/O Village- Kuhari, P.S- Fatehpur, District- Gaya

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Ranjan Kumar, Adv.

For the Opposite Party/s : Mr.Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-04-2023 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner apprehends his arrest in connection with Nawada (Town) P.S. Case No.88 of 2022, registered for the offence punishable u/s 379 of the Indian Penal Code.

Allegedly, the motorcycle of the informant was stolen by some unknown miscreant.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He is not named in the F.I.R. and has been falsely implicated in this case on the basis of confessional statement of the co-accused namely Nitish Kumar. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. There is no compliance of section 100 of the Cr.P.C. No



incriminating article has been recovered from the conscious physical possession of the petitioner. Petitioner has one criminal antecedent of similar nature of offence.

Learned counsel for the State opposed the prayer for bail by submitting that the said motorcycle has been recovered from near the cow-shed of the petitioner

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

Accordingly, the instant application is dismissed.

However, the petitioner is at liberty 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 order, preferably, on the same day, in accordance with the law.

(Anjani Kumar Sharan, J)

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