

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12092 of 2023

Arising Out of PS. Case No.-239 Year-2022 Thana- NALANDA District- Nalanda

PANKAJ KUMAR @ CHHOTAY SINGH Son of Late Jageshwar Singh
Resident of Mohalla - Begampur, P.S.- Nalanda, Dist.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Anita Kumari Singh, Adv.

For the Opposite Party/s : Mr.Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 27-04-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with
Nalanda P.S. Case No.239 of 2022, registered for the offence
punishable u/s 414 of the IPC.

As per the prosecution case, one stolen motorcycle was
recovered from near the house of the petitioner and it was used
by the petitioner.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. He
has been falsely implicated in this case due to ulterior motive.
Petitioner is not named in the F.I.R. and has been made accused
in this case on the information of one Baikunth Vyas, with
whom, the petitioner has a long standing dispute. No



incriminating article has been recovered from the conscious physical possession of the petitioner. The said motorcycle has not been recovered from the house of the petitioner, it is recovered from a public passage near the house of the petitioner. He has one criminal antecedent.

Learned APP for the State opposed the prayer for bail that the said stolen motorcycle was recovered from the house of the petitioner.

Having regard to the facts and circumstances of the case and considering the nature of allegation, 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, 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 law.

(Anjani Kumar Sharan, J)

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