

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15999 of 2023

Arising Out of PS. Case No.-1023 Year-2022 Thana- ARA NAWADA District- Bhojpur

VIKASH YADAV @ VIKASH KUMAR Son of Ram Jee Yadav R/V-
Ganghar, P.S- Ara Mufasil, in the district of Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimal Kumar

For the Opposite Party/s : Mr. Rajesh Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 379 and 414/34 of the Indian Penal Code pending in the learned court below.

As per the prosecution case, police stopped one motor-cycle for checking the documents of the motor-cycle. The petitioner assured the police and gone to his house to bring the paper of the motor-cycle but did not return.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that apprehended person disclosed the name of the petitioner. He submits that there is not specific overt



act against the petitioner. He further submits that petitioner has got no criminal antecedent as stated in para-3 of the bail application.

Per contra, learned APP for the State vehemently opposing the bail application and submits that the said motor-cycle was a theft motor-cycle and the petitioner is also involved in the present case with the co-accused. Hence, he does not deserve anticipatory bail.

Considering the facts and circumstances of the case and the fact that petitioner is also involved in this case with the co-accused, I am not inclined to enlarge the petitioner on bail in connection with Ara Nawada P.S. Case No. 1023/2022. Accordingly, his prayer for anticipatory bail is hereby rejected.

However, if the petitioner surrenders before the learned Court below within a period of six weeks from today and seeks regular bail, the learned Court below would pass the order, preferably, on the same day, without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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