

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16328 of 2023**

Arising Out of PS. Case No.-196 Year-2022 Thana- SONO District- Jamui

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PRAVEEN KUMAR S/O- ABHIMANYU SAW Village- Ropabel Po Ps-
Garhi District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Parmanand Prasad, APP

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

2 22-06-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in Sono P.S.
Case No. 196 of 2022 registered for the offences punishable
under Sections 414, 413 and 120B/34 of the Indian Penal Code
pending in the Court of learned J.M. 1st Class, Jamui.

The allegation against the petitioner is that he is
supplier of stolen motorcycles to the prime accused Dharmendra
Kumar Sah. On the basis of his confessional statement, three
stolen motorcycles have been recovered from his house and 17
other stolen motorcycles have also been recovered from
different persons and different places.

It is submitted by learned counsel for the petitioner



that no such occurrence as alleged ever took place. He has been falsely implicated in this case at the instance of mischief mongers of the locality. As a matter of fact, nothing has been recovered from the possession of the petitioner. It is further submitted that nobody has come forward to say that the alleged recovered motorcycle is of that person. The petitioner has no connection or relation to the co-accused, Dharmendra Sah or with other accused persons. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. The petitioner has no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State vehemently opposing the bail petition relied on a judgment of the Hon'ble Apex Court in the case of **Indresh Kumar v. The State of Uttar Pradesh and another** reported in **2022 Live Law (SC) 610** and submitted that in view of the aforesaid judgment the petitioner does not deserve anticipatory bail.

Considering the facts and circumstances of case, 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 in
accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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