

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39132 of 2023

Arising Out of PS. Case No.-364 Year-2022 Thana- RANIGANJ District- Araria

RAHBAR @ RAHBAR ANSARI Son of Late Kuddus R/o village - Rajokhar,
Rahika Tola, Ward No.- 05, P.S.- Araria, District - Araria.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhav Jha
For the Opposite Party/s : Mr. Binod Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 03-08-2023 Heard learned counsel for the petitioner as well as learned
APP for the State.

2. The petitioner apprehends his arrest in a case registered
for the offence punishable under Sections 379, 414, 467, 468,
471, 34 of the Indian Penal Code.

3. The allegation against the petitioner is that he along with
co-accused namely, Sadre Alam went to the house of informant
to steal a motorcycle. One motorcycle was also seized by the
police, which the accused persons have stolen from Jorganj. Co-
accused, Sadre Alam disclosed that they changed the number
plate of the motorcycle so that it cannot be identified.

4. 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. The name of the petitioner transpired in the present case on the statement of apprehended co-accused, namely, Sadre Alam. There is no recovery of any incriminating article from the possession of the petitioner or from the house of the petitioner. Petitioner has no criminal antecedent, as also mentioned in para-3 of the bail application.

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

6. Having regard to the facts and circumstances of the case as the petitioner has no criminal antecedent, let the above named petitioner, be released on bail, in the event of his/her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Raniganj P.S. Case No.364 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. However, learned Court below is directed to verify the



criminal antecedent of the petitioner before accepting his bail bond. If it is found that the petitioner has criminal antecedent, then his bail bond shall not be accepted.

(Anjani Kumar Sharan, J)

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