

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40610 of 2023

Arising Out of PS. Case No.-6 Year-2019 Thana- KHIJARSARAI District- Gaya

PAPPU KUMAR@ PAPPU SHARMA SON OF PARMESHWAR MISTRI
RESIDENT OF VILLAGE- AMETHI, PS- WAZIRGANJ, DISTT- GAYA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar, Adv.

For the Opposite Party/s : Mr.Md. Nazir Ansari, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 04-08-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 414/34 of the Indian Penal Code.

3. The prosecution case, in brief, is that on 03.01.2019, he got a confidential information that accused Munna Kumar kept a theft motorcycle in his house. On the basis of this information, he along with other police personnel reached at the house of Munna Kumar and saw that a motorcycle was standing there. Seeing the police party, accused person tried to flee away but was apprehended and disclosed his name as Munna Kumar. On inquiry, he was unable to produce any document regarding the alleged motorcycle and disclosed that said motorcycle was



kept by his cousin Dilkhush Kumar and the said motorcycle was purchased from this petitioner.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged ever took place. He has been falsely implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. The whole prosecution case is false and concocted. He was not apprehended on the spot. Nothing has been recovered from his conscious possession. He has no concern with the seized motorcycle. He has never sold the alleged motorcycle to anyone. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

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

6. Having regard to the facts and circumstances of the case, as petitioner has no criminal antecedent, let the above named petitioner, be released on bail, in the event of his 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



Khizarsarai P.S. Case No. 06 of 2019, subject to the condition as
laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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