

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45781 of 2022

Arising Out of PS. Case No.-118 Year-2022 Thana- KARAHGAR District- Rohtas

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GOPAL KUMAR @ GOPAL KUMAR PATEL SON OF AMBIKA
SHARAM SINGH R/O VILLAGE- KHURAHURIA, P.S.- KARAGAHAR,
DISTRICT- ROHTAS

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Saroj Kumar, Advocate

For the Opposite Party/s : Mr. Rajesh Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 02-01-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in connection
with Karagahar (Barahari O.P.) P.S. Case No. 118 of 2022 for
the offence registered under Sections 379, 414 and 34 of the
Indian Penal Code.

As per the prosecution story, the police during
patrolling duty intercepted a motorcycle and upon demand of
papers, it was found to be stolen one. The accused persons
further narrated that the same has been purchased for
consideration amount of Rs. 4,000/- from this petitioner.
Accordingly, he has been made an accused.

Learned counsel for the petitioner submits that his



family owns agricultural land and he has nothing to do with the alleged stolen motorcycle and his name has come in the confessional statement of accused persons, who was found with their motorcycle and thus he has been implicated in this case. The learned counsel lastly submits that he do not have criminal antecedent.

Learned APP for the State opposes the prayer for anticipatory bail and submits that the accused persons has named him in the First Information Report.;

Taking into account the fact that the motorcycle has been recovered from co-accused, Abhinandan Kumar and on his narration that this petitioner has been implicated, he is a young person and has no criminal antecedent, this Court is inclined to grant him privilege of anticipatory bail.

However, if it is found that wrong statement has been made in paragraph-3 of the petition regarding his criminal antecedent, the relief granted to him shall become infructuous.

Let the petitioner, in the event of his arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial



Magistrate, Rohtas, Sasaram in connection with Karagahar
(Barahari Op) P.S. Case No. 118 of 2022, subject to the
condition as laid down under Section 438(2) of the Cr.P.C.

(Rajiv Roy, J)

Jagdish/Neha-

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