

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45788 of 2022

Arising Out of PS. Case No.-381 Year-2022 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

=====

MD. ISHTEYAQUE @ MD. ESTIYAK ALAM Son of Abdul Hannan
Resident of ward no. 5, Narharpur, P.S- Bajpatti, Dist- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Md. Anisur Rahman, Advocate
For the Opposite Party/s : Mr.Ram Anurag Singh, 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 Muzaffarpur Town P.S. Case No. 381 of 2022 for the
offence registered under Sections 401, 413, 414 and 120(B) of
the Indian Penal Code.

As per the prosecution story, the police was on
patrolling duty due to the continuous theft of motorcycles in the
district. In course thereof it intercepted accused persons who
were coming on the motorcycle. Although two of them managed
to flee away, the other two were apprehended and upon demand



of documents confessed that these are stolen motorcycles and also gave the name of the other two accused persons who escaped, the petitioner being one of them. The further statement of the accused persons was/were that after theft of the motorcycles, the same are taken to the petitioner's garage. Accordingly, his garage was also raided. The petitioner managed to flee but some motorcycles were seized.

Learned counsel for the petitioner submits that whatever motorcycles that were seized from his garage, they were all of the customers but only on the confession of the accused persons who were arrested, he has been implicated. His last submission is that he has no criminal antecedent.

Learned APP for the State, on the other hand, opposes the prayer for bail and submits that the kind of seizure that has been made from his garage clearly shows that he was the person who after the theft of the motorcycles used to separate the parts of vehicles in different parts for the purpose of selling.

Taking into account the aforesaid facts as also that there is nothing to show that the motorcycles that were seized from the garage were of the customers nor any documents to the same has been annexed with the present application, this Court



is not inclined to grant him privilege of anticipatory bail which
is accordingly rejected.

(Rajiv Roy, J)

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