

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48723 of 2022**

Arising Out of PS. Case No.-252 Year-2022 Thana- SITAMARHI District- Sitamarhi

AJIT KUMAR S/O MAHASHANKAR PRASAD Resident of village-
Chakmahila, P.S.- Sitamarhi, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Veena Kumari Jaiswal,APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER**

2 06-01-2023 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing in view of the
COVID 19.

The petitioner apprehends his arrest in connection
with Sitamarhi P.S. Case No. 252 of 2022 for the offence
registered under Sections 414 and 34 of the Indian Penal Code.

As per the prosecution story, the police reached
Chakmahila Chauk where it found two persons escaping leaving
a motorcycle. The locals gave their name as Ajit Kumar and Md.
Jamshed Mansoori, the petitioner being one of them. The Hero
Honda Glamour motorcycle left behind was seized and the
accused person's house was also raided and it is alleged that



from the house of this petitioner, one Passion Pro motorcycle was recovered/seized.

Learned counsel for the petitioner submits that although the FIR states about the recovery of the motorcycle from his house, it does not show that the same was stolen one and in that background as the petitioner do not have criminal antecedent, he deserves relief.

Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail.

Taking into account the fact that the petitioner do not have any criminal antecedent, the FIR is silent about the motorcycle recovered/seized from the house of the petitioner herein was stolen one, he is ready to co-operate with investigation and further will be visiting the local police station for next six months every fortnight, this Court is inclined to grant him privilege of anticipatory bail.

Let the petitioner in the event of 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 of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sitamarhi in connection with Sitamarhi P.S. Case



No. 252 of 2022 subject to condition as laid down under
Section 438(2) of the Cr.P.C.

(Rajiv Roy, J)

Jagdish/Neha/-

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