

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67846 of 2022

Arising Out of PS. Case No.-439 Year-2022 Thana- RAMPUR District- Gaya

SATISH KUMAR @ AVINASH KUMAR Son of Parshuram Singh Resident
of Village - Dadhapa, Post - Konchi, P.S.- Guraru, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 23-03-2023 Heard the parties.

The petitioner apprehend his arrest in connection with Rampur P.S. Case No.439 of 2022, registered for the offence punishable under Sections 414/34 of the Indian Penal Code.

As per the prosecution case, the informant alongwith other armed forces proceeded for vehicle checking. During the course of checking, they found a bullet motorcycle in suspicious condition. The driver of the motorcycle became nervous and on interrogation he told that he has no paper of the motorcycle. The driver of the motorcycle disclosed that he purchased the said vehicle from the petitioner. When the informant checked the details of the motorcycle he found that the said motorcycle belongs to one Ashwani Kumar and he has lodged a case regarding theft of the said motorcycle as B.S.City P.S. Case



No.31 of 2021.

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. The petitioner was not apprehended on the spot and nothing has been recovered from his conscious possession. Petitioner is not the owner of the said motorcycle and his name transpired in the present case on the basis of confessional statement of co-accused. Petitioner has no criminal antecedent.

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

Having regard to the facts and circumstances of the case as well as considering the nature of offence, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

This application is accordingly, dismissed.

(Anjani Kumar Sharan, J)

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