

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29298 of 2024

Arising Out of PS. Case No.-653 Year-2023 Thana- BANKA District- Banka

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1. MD. SUFIYAN ANSARI S/O MD. AZIM ANSARI R/O VILLAGE-
MASURIYA, P.S- BANKA, DISTT.- BANKA.
 2. SHAMSHER ANSARI @ MD. SHAMSHER ANSARI S/O MD. AZIM
ANSARI R/O VILLAGE- MASURIYA, P.S- BANKA, DISTT.- BANKA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Nandan Prasad
For the Opposite Party/s : Mr. Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 18-09-2024 1. Heard learned Counsel for the petitioners and learned
Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out
of Banka Police Station Case No. 653 of 2023, dated
01.10.2023, disclosing offences under Sections 379 of the
Indian Penal Code.
3. The prosecution case, as per the First Information Report,
is that on 30.09.2023, the informant parked his
motorcycle, bearing BR-51B-3932, at Shivaji Chowk,
Banka and went to grocery shop for purchasing and when
the informant returned, he found his motorcycle stolen.
4. Learned counsel for the petitioners submits that the
petitioners have falsely been implicated in the present
case due to village politics. He next submits that the



petitioners are not named in the First Information Report and their names have transpired on the basis of confessional statement of one Pritam Pandey. He further submits that the petitioner no. 2 runs a garage from where an engine of a motorcycle has been recovered which is not of the stolen motorcycle as the same has not been identified or claimed by the informant. The petitioners are not having any criminal antecedent.

5. Regards being had to the submissions made on behalf of the parties and taking into consideration the nature of offence and the fact that on the confession of co-accused, parts of the stolen motorcycle have been recovered from co-accused, garage of the petitioner and from his brother’s house which would be evident from para 17, 30 & 24 of the case diary, I am not inclined to grant the petitioners privilege of anticipatory bail.
6. This application is, accordingly, dismissed.

(Anil Kumar Sinha, J)

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