

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38300 of 2024

Arising Out of PS. Case No.-296 Year-2023 Thana- ROH District- Nawada

Nandan Kumar Son Of Virendra Prasad, Resident of Village - Kesauriya, P.S.
- Nardiganj, District - Nawada

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

with
CRIMINAL MISCELLANEOUS No. 39449 of 2024

Arising Out of PS. Case No.-296 Year-2023 Thana- ROH District- Nawada

Santosh Yadav @ Santosh Prasad son of Late Ramji yadav Village-
Keshauriya Ps-Nardiganj Dist- Nawada Bihar

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

(In CRIMINAL MISCELLANEOUS No. 38300 of 2024)

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate

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

(In CRIMINAL MISCELLANEOUS No. 39449 of 2024)

For the Petitioner/s : Mr. Arjun Prasad, Advocate

For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 21-09-2024 Since both the applications arise out of from Roh P.S.

Case No. 296 of 2023, as such, they have been taken up together

and are being disposed of by this common order.

02. Heard learned counsels for the petitioners and
learned APPs. for the State.

03. In the present case, the petitioners are apprehending



their arrest in connection with Roh P.S. Case No. 296 of 2023 registered for the alleged offence under Sections 379 of the Indian Penal Code.

04. As per prosecution case, motorcycle of the informant was stolen away in the night, which was parked outside the residence of elder brother of the informant. The name of petitioners transpired during investigation as the persons who were involved in the theft.

05. Learned counsels for the petitioners submit that petitioners are innocent and have been falsely implicated in this case. The stolen motorcycle was recovered in Hisua P.S. Case No. 530 of 2023 in which the petitioners have been made accused and have been enlarged on bail. The said motorcycle was recovered in the aforesaid case with illicit liquor. Learned counsels further submit that nothing incriminating has been recovered from these petitioners and recovery of stolen motorcycle has been made in some other case, though the petitioners are also accused in that case.

06. Learned APPs for the State oppose the prayer for anticipatory bail. Learned APPs submit that the petitioners were apprehended with the stolen motorcycle and they were transporting illicit liquor.

07. Having regard to the facts and circumstances and



submission made on behalf of the parties and considering the fact that the petitioners were apprehended with stolen motorcycle and also carrying illicit liquor, I do not think it is a fit case for grant of anticipatory bail to the petitioners. Hence, their prayer for anticipatory bail is hereby **rejected**.

(Arun Kumar Jha, J)

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