

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.63491 of 2024**

Arising Out of PS. Case No.-443 Year-2023 Thana- BARAULI District- Gopalganj

Manish Kumar Son of Birendra Pandey R/V- Village- Karhi Kala, P.S.-  
Basatnpur, Distt.- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Bijay Prakash Singh, Advocate  
For the Opposite Party/s : Mr. Madan Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND  
MALVIYA**

ORAL ORDER

3      18-12-2024      Heard learned counsel appearing on behalf  
of the parties.

2.      The petitioner apprehends arrest in  
connection with Barauli P.S. Case No.443 of 2023 registered for  
the offence under Sections 379, 414/34 of the Indian Penal  
Code.

3.      The allegation against the petitioner along  
with other co-accused persons is to taken away the motorcycle  
of the informant.



4. Learned counsel appearing on behalf of the petitioner submits that the petitioner has falsely been implicated in the present case. It is submitted that name of the petitioner surfaced in the present case on the basis of confessional statement of other co-accused person. It is submitted that during course of investigating nothing incriminating has been recovered against the petitioner, which may connect him with the present set of occurrence. It is submitted that petitioner is a man of clean antecedent.

5. Learned APP appearing on behalf of the State, opposes the prayer of bail of the petitioner.

6. In view of the submissions, as made above and as the informant is owner of the stolen motorcycle and two accused persons caught hold on spot on another motorcycle bearing BR04AE1795 and as the name of the petitioner surfaced on the basis of confessional statement of arrested co-accused and as the motorcycle of the informant has not been recovered till date and as grant of privilege of anticipatory bail to the petitioner shall not be proper for investigation and recovery of stolen motorcycle as the interrogation of the petitioner is essential in the present case, this Court is not inclined to grant bail to the petitioner.



7. Accordingly, the prayer of bail of the  
petitioner is rejected herewith.

**(Ramesh Chand Malviya, J)**

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