

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84063 of 2024

Arising Out of PS. Case No.-243 Year-2024 Thana- RAGHOPUR District- Vaishali

1. Sanjivan Rai @ Loha Singh S/O Lalbabu Rai R/O -MohanPur, Malikpur, Rustampur, Ward No-12, P.S- Rustampur, Dist- Vaishali.
2. Tuntun Rai S/O Lalbabu Rai R/O -MohanPur, Malikpur, Rustampur, Ward No-12, P.S- Rustampur, Dist- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 16-12-2024 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Raghapur P.S. Case No.243 of 2024 for the offences punishable under Sections 317 (4) and 317 (5) of the B.N.S., 2023.

3. Petitioners are said to have indulged in business of receiving of stolen motorcycles at their house, dissecting their parts and selling these separately.

4. The petitioners are quite innocent and have been falsely implicated in this case due to previous grudge. The allegations levelled against the petitioners is general and



omnibus in nature. The petitioner has been made accused in this case on the confessional statement of apprehended accused Santosh Rai which has no evidentiary value in the eye of law. The aforesaid recovery has been made from the joint house where several family members live. Petitioners have no criminal antecedent.

5. Per contra, learned APP for the State vehemently opposing the bail petition submitted that the allegations levelled against the petitioners is serious in nature, hence they do not deserve anticipatory bail.

6. Considering the facts and circumstances of case, I am not inclined to enlarge the petitioners on bail. The prayer for bail of the petitioners is hereby rejected.

7. However, if the petitioners surrender before the learned Court below within six weeks from today and seek regular bail the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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