

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84645 of 2023

Arising Out of PS. Case No.-96 Year-2022 Thana- RAFIGANJ District- Aurangabad

BIGYAN KUMAR @ VIGYAN KUMAR S/O RAJENDRA MOCHI @
RAJENDRA DAS R/O VILLAGE- TETARPUR, P.S.- TEKARI
(PANCHANANPUR O.P.), DISTRICT- GAYA (BIHAR)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar

For the Opposite Party/s : Mr.Murli Dhar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 15-05-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. Petitioner is apprehending his arrest in connection with
Rafiganj P.S. Case No.96 of 2022, registered for the offence
punishable u/s 379 of IPC.

3. Allegation against the petitioner is that from his house a
stolen motorcycle has been recovered.

4. It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has not committed any offence.
He has been falsely implicated in this case merely on suspicion.
There is no compliance of section 100 of the Cr.P.C. and no
person was present in the house of the petitioner. No
incriminating article has been recovered from the conscious



physical possession of the petitioner. The said house from which recovery has been made remains close as nobody reside there. Only on the basis of earlier cases filed against the petitioner, he has been made accused in the present case. Petitioner has two criminal antecedent.

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

6. Considering the aforesaid facts and circumstances and that the recovery of motorcycle has been made from the house of the petitioner, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

7. This application is accordingly dismissed.

(Anjani Kumar Sharan, J)

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