

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85837 of 2024

Arising Out of PS. Case No.-27 Year-2024 Thana- SIDHWALIYA District- Gopalganj

Badal Singh @ Ankit Kumar Son of Rajeshwar Singh Resident Of Village
-Lohijara, Ps -Sidhwalia, Dist- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Dwivedi, Adv.

For the Opposite Party/s : Mr. Dilip Kumar No.1, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 16-12-2024 Heard Mr. Shailendra Kumar Dwivedi, learned counsel
for the petitioner and Mr. Dilip Kumar No.1, learned A.P.P. for
the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 413,
414/34 of the Indian Penal Code.

3. The prosecution case, in brief, is that on 03.02.2024 at
17:00 PM, the informant left police station for evening
patrolling and vehicle checking and when she started vehicle
checking at Barhima Mode NH-27, then at 18.30 PM, one
person came on blue and black Glamour motorcycle, but after
seeing the police, he tried to flee away, but on suspicion he was
apprehended on the spot and on enquiry, he disclosed that the
said motorcycle is a theft motorcycle and he purchased it from



the petitioner. He also purchased one Splendor motorcycle for Rs. 4000/- from the petitioner which is at his house.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged has ever taken place. He has falsely been implicated in this case due to ulterior motive. The allegation levelled against the petitioner is totally false and based on concocted facts. He never sold the motorcycle in question to co-accused Guddu Kumar. It is further submitted that there is nothing on record to indicate the complicity of the petitioner barring the confessional statement of the apprehended person which has no evidentiary value in the eye of law. The apprehended co-accused, namely, Guddu Kumar and the petitioner are co-villagers and there is admitted land dispute between them and only with a view to grab the land of the petitioner, co-accused Guddu Kumar concocted a false case and got implicated the name of the petitioner. Learned counsel further submits that petitioner has no criminal antecedent as mentioned in para-3 of this application.

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

6. Having regard to the facts and circumstances of the case, since petitioner has no criminal antecedent and there is



admitted land dispute between the petitioner and co-accused Guddu Kumar, let the above named petitioner, be released on bail, in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Sidhwalia P.S. Case No.27 of 2024, subject to the condition as laid down under Section 438 of the Cr.P.C.

(Anjani Kumar Sharan, J)

divyanshi/-

U		T	
---	--	---	--

