

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18539 of 2025

Arising Out of PS. Case No.-260 Year-2023 Thana- MAHUA District- Vaishali

Uttam Kumar Son of Sanjay Sah Resident of village- Mahadeo Math PS-
Mahua District -Vaishali at Hajipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Niranjan Parihar, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 11-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends arrest in Mahua P.S.
Case No. 260 of 2023, registered under Section 379 of the
Indian Penal Code.

3. The prosecution case, in short, is that, motorcycle
of the informant was stolen by some unknown persons which he
had parked in front of the house of his relative Pramod Kumar.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Learned counsel for the petitioner also submits that
the petitioner is not named in the FIR. Name of the petitioner
has transpired in this case on the basis of confessional statement
made by co-accused, namely, Sujit Kumar and the same has got
no evidentiary value. It is next submitted that the stolen



motorcycle has also been recovered from the house of co-accused Sujit Kumar. The petitioner has got eight criminal antecedents in which he is on bail. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted regular bail by this Court vide order dated 21.12.2023 passed in Cr. Misc. No. 80818 of 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner and submitted that co-accused Sujit Kumar has confessed the name of the petitioner as his associate. It is further submitted that the petitioner has got eight criminal antecedents. Hence, the petitioner does not deserve the privilege of anticipatory bail.

6. Considering the aforesaid facts and circumstances of the case, criminal antecedents and nature and gravity of the offence, this Court is not inclined to grant bail to the petitioner.

7. The prayer is rejected. However, the petitioner is directed to surrender in the Court below and pray for regular bail. If any such application is filed, the Court below shall consider and dispose of the same on its own merit without being prejudiced by this order.

(Rudra Prakash Mishra, J)

Rajorshi/-

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