

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31718 of 2025

Arising Out of PS. Case No.-530 Year-2015 Thana- AURANGABAD TOWN District-
Aurangabad

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Pappu Kumar @ Pappu Singh @ Papu Kumar Son of Ram Bilash Singh
Resident of Village - Dihri, P.S.- Amba, District - Aurangabad, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pramendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Md. Matloob Rab, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 23-07-2025 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection
with Aurangabad Town P. S. Case No. 530 of 2015 registered on
21.12.2015 for the offences punishable under Section 379 of the
Indian Penal Code.

3. As per prosecution, the FIR has been lodged
against unknown with an allegation of committing theft of a
motorcycle.

4. It is submitted by learned counsel for the petitioner
that the petitioner is innocent and has committed no offence.
The F.I.R. has been lodged against unknown accused persons.
Learned counsel further submits that for the theft of one



motorcycle, two criminal cases have been registered, and in both cases, the petitioner's name has been implicated. It is further submitted that the petitioner is also an accused in another criminal case which was instituted upon recovery of the stolen motorcycle, in which he has already been granted anticipatory bail. Learned counsel contends that the petitioner's name has been falsely inserted in the present case at the behest of the police, despite it being a case of the year 2015, and such insertion has been made after an inordinate delay. Admittedly, no recovery has been made from the possession of the petitioner, and his name has surfaced solely on the basis of the confessional statement of a co-accused.

5. On the other hand, learned A.P.P. for the State, while opposing the prayer for bail, fairly submits that it is true that two criminal cases have been registered against the petitioner, one pertaining to the theft of a motorcycle, and the other concerning the recovery of the stolen motorcycle. However, in the case relating to the recovery, the petitioner has already been granted anticipatory bail by a co-ordinate Bench of this Court. So far as the present case is concerned, it pertains to the theft of the motorcycle, and the recovery made pursuant to the confession of a co-accused supports the prosecution's case.



6. In the aforesaid background, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner in connection with Aurangabad Town P. S. Case No. 530 of 2015, pending before the learned CJM, Aurangabad is hereby rejected.

7. However, if the petitioner surrenders before the Trial Court within six weeks from today, the Trial Court is directed to pass an order on his surrender-cum-bail application on the same day without being prejudiced by the fact that the petitioner's anticipatory bail has been rejected by this Court.

(Dr. Anshuman, J)

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