

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35807 of 2025**

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

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Ranjan Kumar Singh S/o Vinod Kumar Singh R/o Village- Feku Bigha, Pipra
Bagahi, P.S- Kutumba, Distt.- Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Aman Vishal, Advocate
For the Opposite Party/s : Md. Shakir Ahmad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 03-09-2025 Heard learned Counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Aurangabad Town Police Station Case No.
530 of 2015, registered for the offence punishable under
Section 379 of the Indian Penal Code, 1860.

3. The prosecution case, as per the First
Information Report, is that on 20.12.2015 around 06:00
P:M, the informant had parked his Hero Honda Passion Pro
motorcycle bearing Registration No. BR26C7133 in market



and went for purchasing some articles and upon return, the motorcycle was found stolen.

4. Learned Counsel for the petitioner submits that petitioner has falsely been implicated in this case without any evidence to connect him with the present offence. Learned counsel further submits that one Kutumba P.S. Case No. 12 of 2016 was lodged against unknown and on the basis of confessional statement of the co-accused Arun Sharma @ Barud that the stolen motorcycle was sold to the petitioner, the motorcycle was recovered from the possession of the petitioner in Kutumba P.S. Case No. 12 of 2016 and the petitioner was taken into custody. Subsequently, the petitioner was released on bail. The petitioner is not named in the present FIR bearing Aurangabad Town P.S. Case No. 530 of 2015. Learned counsel next submits that as per the case diary, no confessional statement has been recorded by the co-accused which disclosed the name of the petitioner. Learned counsel further submits that the police for the first time filed requisition before the learned C.J.M. for taking arrest warrant against the petitioner in 2024, but in the entire case



diary, there is no material to show the involvement of the petitioner in the present offence to obtain warrant of arrest against the petitioner. Learned counsel submits that the petitioner for the first time came to know about pendency of this FIR lodged in 2015 after April, 2025 when the police arrived at his residence searching him.

5. On the other hand, learned counsel for the State submits that no confessional statement of the co-accused has been recorded in the case diary and the material/ground for taking warrant against the petitioner, is also not available in the case diary.

6. Having regard to the submissions made by the parties taking into consideration the fact that the petitioner is not named in the FIR, the prosecution did not produce any *prima facie* material against the petitioner, I am inclined to grant the petitioner privilege of anticipatory bail.

7. This application is, accordingly, allowed.

8. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like



amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad, in connection with Aurangabad Town Police Station Case No. 530 of 2015, subject to the condition laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita.

(Anil Kumar Sinha, J)

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