

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65260 of 2025

Arising Out of PS. Case No.-97 Year-2025 Thana- Gadhiya Bazar District- East Champaran

Bhola Ansari S/o Md. Manjur Ansari R/o Village - Koilahra Math, P.S -
Garahiya Bazar, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 17-09-2025

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of anticipatory bail apprehending his arrest in connection with Garahiya Bazar P.S. Case no. 97 of 2025 registered under section 317(2), 317(4), 338, 336(3) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution case, the informant states that on receiving information that the accused were involved in sale of stolen motorcycle, checking of vehicle was started. On being signalled to stop, the informant states that the accused made an attempt to escape on his motorcycle but was caught. On inquiry, he disclosed his name as Rahul Kumar. It is further stated that Rahul Kumar disclosed that he is involved in sale of stolen motorcycle which is being supplied by one Subhash.



4. Learned counsel for the petitioner submits that the petitioner is not named in the FIR. Referring to the order of the learned trial Court, it is submitted that the petitioner has been falsely implicated in the case in course of investigation. The accused Rahul Kumar, who was apprehended by the informant, disclosed in his statement the name of one Subhash Sahani and in turn the said accused Subhash Sahani in his statement made before police has disclosed the name of this petitioner. It is submitted that no incriminating article has been recovered from the petitioner's possession and the petitioner has no criminal antecedent. He undertakes to cooperate in the investigation/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the F.I.R., the material that has transpired in course of investigation as dealt with in detail in the order of the learned trial Court, the name of the petitioner transpiring in the statement of co-accused made before the police, no incriminating article having been recovered from the petitioner's possession and specially the petitioner not have any criminal antecedent, it is directed that the petitioner, above named, in the



event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Garahiya Bazar P.S. Case no. 97 of 2025 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, East Champaran at Motihari.

(Partha Sarthy, J)

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