

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78874 of 2024

Arising Out of PS. Case No.-107 Year-2023 Thana- SINDHIYA District- Samastipur

Amarjeet Kumar Yadav @ Amarjeet Yadav, S/o Mahender Yadav, Resident of
Village- Bhagwatipur, Ward No. 9, P.S.- Hayaghat, Dist- Darbhanga
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saurav Anand, Advocate

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 09-04-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with Singhiya P.S. Case No. 107 of 2023 dated 08.05.2023 instituted for the offence punishable under Sections 414, 467, 468/34 of the Indian Penal Code.

3. The prosecution case, in short, is that on the alleged date of occurrence, the informant along with other police personnel while checking vehicles, apprehended two co-accused persons, namely, Mikesh Kumar Yadav and Sirju Yadav with one Hero Honda Passion Pro motorcycle bearing Registration No. BR07 AD 5674, Engine No. HA10ENEHB20884, Chasis No. MBLHA10A6EHB03829. On asking to produce the documents with regard to the said motorcycle, they failed to do so. It is



alleged that on enquiry of the Registration No. BR07 AD 5674, it is found that the said number is of TVS Apache and the owner of the said motorcycle is the petitioner. It is further alleged that on query about the recovered motorcycle through its engine number and chasis number, it is found that the owner of the said motorcycle is Krishna Kumar Pathak, which was stolen from his house.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that two co-accused persons, namely, Mikesk Kumar Yadav and Sirju Yadav were using the recovered motorcycle bearing Registration No. BR07 AD 5674, Engine No. HA10ENEHB20884, Chasis No. MBLHA10A6EHB03829. The number plate bearing Registration No. BR07 AD 5674 belongs to the petitioner, but Engine No. HA10ENEHB20884, Chasis No. MBLHA10A6EHB03829 of the recovered motorcycle does not belong to the petitioner. The said recovered motorcycle belongs to one Krishna Kumar Pathak. Learned counsel for the petitioner further submits that the petitioner has been made accused in this case only on the basis of confessional statement co-accused, Pawan Yadav. Nothing has been recovered either from the conscious possession or from the house of the petitioner. The petitioner has no concern with the said motorcycle bearing Engine



No. HA10ENEHB20884, Chasis No. MBLHA10A6EHB03829.
The petitioner is also the victim of the circumstances. Lastly, it has been submitted that petitioner has no criminal antecedents.

5. On the other hand, learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioners within a period of six weeks from today, in connection with Singhiya P.S. Case No. 107 of 2023, he will be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. 1st Class, Rosera, Distt. Samastipur, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

premchand/-

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

