

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79640 of 2024

Arising Out of PS. Case No.-128 Year-2013 Thana- KHAIRA District- Saran

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Puspraj @ Pappu Kumar Ray, Gender- Male, aged about 25 years, Son of Prabhunath Rai, Resident of Village- Kallupur, P.S.- Khaira, District- Saran, Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Sucheta Yadav, APP

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CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

3 22-03-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest in connection with Khaira P.S. Case No. 128 of 2013 instituted for the offences punishable under Section 379 of the Indian Penal Code.

3. As per the allegation in the FIR, three unknown miscreants looted the motorcycle of the informant and fled away.

4. Learned counsel for the petitioner submits that petitioner is innocent has committed no offence and has falsely been implicated in this case only on the basis of dirty village politics. He further submits that petitioner is not named in the



FIR but his name surfaced in this case only on the basis of confessional statement of other co-accused. He next submits that there is no specific allegation against the petitioner and the looted mobile has not been recovered from the conscious possession of the petitioner.

5. Learned APP for the State has opposes the prayer for bail.

6. From perusal of the FIR, case diary and also perused the impugned order dated 30.08.2024 passed by the learned Additional Sessions Judge-Vth, Saran at Chapra it appears that petitioner is not named in the FIR but his name has been surfaced during course of investigation. From perusal of the records, it also appears that on the basis of written report of the informant Md. Mumtaz Alam, FIR has been lodged against three unknown persons for the theft of motorcycle bearing registration no. BR20-7392. The name of the petitioner has been surfaced in this case during course of investigation. Petitioner has one criminal antecedent of same nature of offence as stated in para 3 of the petition. It also appears that for the recovery of stolen motorcycle, it is essential to interrogate the petitioner, so considering the aforesaid facts and circumstances of the case and submissions of learned counsel for the parties as well as



involvement of the petitioner in the alleged commission of offence, I am not inclined to grant bail to the petitioner.

7. Accordingly, the application stands dismissed.

(Ramesh Chand Malviya, J)

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