

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.80117 of 2025**

Arising Out of PS. Case No.-214 Year-2023 Thana- KESARIA District- East Champaran

Abhay Kumar @ Abhay Singh @ Bauya Ji S/o- Jai Narayan Singh R/v-  
Himmat Patti Ps- Sahabganj Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Nachiketa Jha, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      11-12-2025                      Heard Mr. Nachiketa Jha, learned counsel for the  
  
petitioner and Mr. Nawal Kishore Prasad, learned Additional  
  
Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in  
connection with Kesariya P.S. Case No. 214 of 2023, F.I.R.  
dated 25.04.2023 for the offences punishable under Sections  
392 of the Indian Penal Code.

3. As per the First Information Report, the informant  
alleged that when he was returning at his house, three persons  
on a motorcycle snatched his motorcycle, on point of pistol.



Hence the FIR.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. The petitioner is not named in the FIR and he has been made accused merely on the basis of confessional statement of co-accused person, namely, Chhotan Das and except the confessional statement of co-accused person, no other cogent material is available against the petitioner which suggest the involvement of the petitioner in the present occurrence.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that from perusal of the seizure list it would appear that stolen articles were recovered from the house of the co-accused so confessional statement of co-accused person is not doubtful and apart from that the petitioner has not approached the Court within the stipulated time. Although the FIR was instituted in 2023, the petitioner moved before the learned trial court in August 2024 and has approached this High Court in November 2025 and apart from that petitioner carries one criminal antecedent.

6. Considering the aforesaid facts and circumstances,



I am not inclined to grant the privilege of anticipatory bail to the petitioner in connection with Kesariya P.S. Case No. 214 of 2023 pending in the court of J.M, 1<sup>st</sup> Class, East Champaran, Motihari.

7. Prayer is refused.

**(Rajesh Kumar Verma, J)**

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