

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84993 of 2024

Arising Out of PS. Case No.-114 Year-2021 Thana- CHAPRA TOWN District- Saran

Anshu Rai @ Anshu Kumar S/o Raju Rai @ Raju Kumar R/o Mohalla -
Chhota Telpa, Goriya Toli, P.s. - Chapra Town, Distt.- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Maheshwar Prasad

For the Opposite Party/s : Mr.Md. Fahimuddin

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 07-01-2025 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Chapra Town Police Station Case No. 114 of 2021, dated 21.02.2021, disclosing offences punishable under Sections 414/401/34 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report, is that the police, on secret information, raided the house of co-accused Aman Kumar, arrested the said co-accused persons in connection with motorcycle theft and on the basis of his confessional statement, the house of the petitioner was raided by the police and the police recovered two stolen motorcycles kept in front of the house of the petitioner.



4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case due to village politics. He further submits that the petitioner is not named in the First Information Report and his name has transpired on the basis of the confessional statement of co-accused Aman Kumar, who has disclosed that the petitioner had actively participated in theft of the motorcycles.
5. I have heard learned counsel for the parties and have perused the material available on record, including the impugned order.
6. From perusal of the First Information Report as well as the impugned order, it transpires that co-accused Aman Kumar, in his confessional statement, has disclosed the active involvement of the petitioner in the alleged offence, leading to recovery of two stolen motorcycles kept in front of the house of the petitioner. The petitioner has got criminal antecedents also.
7. Considering the above, I do not find any reason to differ with the findings arrived at by the learned 2nd Additional Sessions Judge, Saran, at Chapra, inasmuch as the case is under investigation, wherein the custodial interrogation of



the petitioner may be necessary based upon the material collected by the police during course of investigation. As such, I am not inclined to grant anticipatory bail to the petitioner.

8. This application is, accordingly, dismissed.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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