IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72047 of 2026

CNR No. BRHC011056262026

Arising Out of PS. Case No.-484 Year-2025 Thana- AMAUR District- Purnia

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Asfak Alam S/O Md. Rashid Ali R/O Village- Kasba Satbeli, P.S- Kasba, District- Purnea.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Ajit Ranjan Kumar, Advocate
For the Opposite Party/s : Dr. Indiwar Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 28-10-2026 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Amour P.S. Case No. 484 of 2025 for the offence under sections 303(2) and 317(5) of the Bharatiya Nayay Sanhita lodged on 19.11.2025 by the informant, Sharif Jiya.

3. As per the prosecution case, the informant alleged that while he was doing shopping near the Panchayat Bhawan, he had parked his motorcycle there, after shopping, as he found his motorcycle missing. He could see his motorcycle is being taken towards Kasba. The person was caught, he gave his name as Md. Sadiq and the accused along with the motorcycle were handed over to the Amour Police Station.

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4. Thereafter, the allegation is that he confessed to have purchased the motorcycle from this petitioner. The place was raided and one more motorcycle was recovered/seized which actually was a stolen one and belonging to one Md. Jahangir, who had given an application to this effect on 24.09.2025.

5. Learned counsel for the petitioner submits that neither he was involved in the theft of the first motorcycle nor the recovery/seizure from his house rather outside the house from an open place. The Police had falsely implicated him further, he has no criminal antecedent.

6. Learned State counsel opposes the prayer, submitting that the person arrested (Md. Sadiq) gave his name as the man who sold it to him. Further, upon raiding the place, another motorcycle was recovered for which already a sanha was there.

7. Considering the submissions of the parties aforesaid, this Court does not deem it fit and proper to extend the privilege of anticipatory bail to the petitioner, as two different motorcycles got stolen/recovered/seized and his name cropped up as the person who is involved in the selling of those stolen motorcycles.

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8. The anticipatory bail application stands rejected.

9. If however, the petitioner surrenders within the period of four weeks, files bail application, the Court concerned shall take up the matter and dispose it of preferably on the same day.

(Rajiv Roy, J)

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