

In the Court of 1st Addl. Sessions Judge, Saran at Chapra.
ABP no. 354/2026 (Marhowrah P.S. case no. 405/2022)
Birendra Ram versus State of Bihar.
O R D E R

6.4.2026

Heard learned counsel for the petitioner as well as learned Addl. P.P. for the State on anticipatory bail petition of petitioner namely Birendra Ram who is apprehending his arrest in the above referred case registered u/s 467, 468, 471, 420, 414, 120(B) of I.P.C.

FIR of this case has been registered on the basis of typed application of informant Akil Ahmad, SHO Marhowrah P.S. and he got secret information that two persons are taking one splendour Pro motorcycle for sale which is stolen motorcycle. Informant and his team members apprehended accused persons of this case from whom one Splendor plus motorcycle was recovered. They confessed the name of this petitioner as their associates and others and they stated that they are indulged in stealing of motorcycle and its sale to other persons. Both the accused persons were arrested.

It is submitted on behalf of the petitioner that he is innocent, he has not committed any offence and has been falsely implicated in this case due to suspicion, neither he was arrested from the spot, nor any thing has been recovered from his possession and his name has been brought in this case on the basis of confessional statement of other accused persons of this case, no any regular or anticipatory bail petition has been filed by the petitioner in any court of law, he is a person of clean antecedent, and he is ready to furnish sureties as required by the Court. Therefore, it is prayed that the petitioners may be enlarged on anticipatory bail.

The learned Addl. P.P. opposed the prayer for anticipatory bail.

Perused the record and on perusal of the same, it is found that name of the petitioner has been brought in this case on the basis of confessional statement of two accused persons of this case namely Ravi Kumar and Dhiraj Kumar @Abhay Kumar who were arrested from the spot having a stolen motorcycle. They told the name of this petitioner and their other associates that they are indulged in stealing of motorcycle and its sale to others. On their confessional statement stolen motorcycle has been recovered not only from this petitioner, but also from possession of their other associates. Informant in his statement recorded at para no. 8 of case diary has supported the prosecution case. Other witnesses in their statements recorded at para no.15 and 16 of case diary have also supported the prosecution case. Earlier regular bail petitions of other associates of the petitioner have been granted while they were kept in custody. Investigation against the petitioner is afoot.

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Considering the above facts and circumstances of the case, I do not think it proper to enlarge accused petitioner on anticipatory bail. Accordingly, anticipatory bail petition of the petitioner is hereby rejected.

(Dictated)

1st Addl. Sessions Judge, Saran.