

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39680 of 2015

Arising Out of PS.Case No. -8 Year- 2014 Thana -BUNIADGANJ District- GAYA

Ajay Saw Son of sri Mahadeo Saw resident of village- Ram Nagar P.S.
Bodhgaya District Gaya.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Manish Kumar No 13, Adv.

For the Opposite Party/s : Mr. A.K. Choudhary (App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 06-11-2015 Heard both sides.

The petitioner apprehends his arrest in Buniyadganj
P.S. Case No. 08/2014, registered for the offences punishable
under Sections 399, 402, 411, 420 and 120(B) of the Indian Penal
Code.

The police chased a magic vehicle in which six persons
were seen. Leaving the vehicle all the accused persons fled away
firing at the police. At the place of occurrence one loaded pistol
and different articles were recovered. One invoice of tax was
recovered which stands in the name of the petitioner which shows
that the petitioner is the owner of the vehicle.

Learned counsel for the petitioner submits that except

the invoice, found at the place of occurrence, there is no material to show that the petitioner was travelling in the vehicle. The petitioner may be owner of the vehicle, but it cannot be said that the petitioner was also travelling and he made firing.

It is submitted that nobody has filed petition for release of seized articles.

Considering the facts aforesaid and the fact that on chase the driver of the vehicle fled away, but from the vehicle different articles were recovered, the invoice of the tax was also recovered which shows the petitioner is the owner of the vehicle, I am not inclined to enlarge the petitioner above named on anticipatory bail. Accordingly, the same is rejected.

However, the petitioner, if so advised, may surrender before the court below within four weeks from the date of receipt/production of a copy of this order and pray for regular bail and his prayer shall be considered on its own merit without being prejudiced by this order.

(Prabhat Kumar Jha, J.)

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