

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50843 of 2015

Arising Out of PS.Case No. -96 Year- 2015 Thana -ISUAPUR District- SARAN

Chandeshwar Rai Son of Shivji Rai Resident of Village- Piyarepur, P.S
Isuapur, District Saran,(Chhapra)

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Singh

For the Opposite Party/s : Mr. Harendra Prasad (App)

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 10-12-2015

Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in connection
with Isuapur P.S. Case No. 96 of 2015 registered under Section
414 of the I.P.C. pending in the Court of C.J.M., Saran at Chapra.

The Police recovered of black colour stolen
motorcycle bearing Registration No. BR-29M-9939 to the house
of petitioner on receiving secret information about concealing the
same, which parts were separated and head light was damaged.

Learned counsel appearing on behalf of the petitioner
submits that the petitioner, who is disabled person, purchased the
said motorcycle from one Umesh Giri, co-villager of the
petitioner, on consideration amount of Rs. 39,300/-, out of which
Rs. 29,300/- was paid and rest of the amount was withheld by the

petitioner for want of documents of motorcycle. Thereafter, no paper was given by Umesh Giri, petitioner asked his money. In the meantime, the motorcycle met with an accident by Umesh Giri and Umesh Giri sent the motorcycle on van through one Kameshwar Bhagat, driver of van and with ulterior motive petitioner has falsely been implicated in this case.

Having considered the facts and circumstances of the case and nature of the allegation, I am not inclined to allow the prayer of the petitioner for anticipatory bail. Accordingly, this application stands rejected.

However, petitioner is directed to surrender before the Court below within a period of four weeks and pray for regular bail, which shall be decided on its own merit without being prejudiced by the present order.

(Rajendra Kumar Mishra, J.)

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