

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50653 of 2014

Arising Out of PS.Case No. -111 Year- 2014 Thana -SURYAGARHA District- LAKHISARAI

1. Jitendra Kumar son of Late Kuldip Ram resident of Dilavarpur, Police Station- Kotwali, District- Munger

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.51848 of 2014

Arising Out of PS.Case No. -111 Year- 2014 Thana -SURYAGARHA District- LAKHISARAI

1. Rupesh Kumar @ Rupesh Lal @ Rupesh Kr. Lal Son of Ajay Lal @ Ajay Kr. Lal Resident of Champanagar, Police Station - Nathnagar, District - Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.50653 of 2014)

For the Petitioner/s : Mr. Shashi Shekhar, Advocate
Mr. R. K. Ranjan, Advocate

For the Opposite Party/s : Mr. Asha Kumari, APP

(In Cr.Misc. No.51848 of 2014)

For the Petitioner/s : Mr. Shashi Shekhar

For the Opposite Party/s : Mr. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 02-07-2015 Above noted both the applications have arisen out of one occurrence i.e. Suryagarha P.S. Case No. 111 of 2014 registered for the offences punishable under Section 414 of the Indian Penal Code, as such they have been heard together and are

being disposed of by this common order.

During course of inquiry the informant who is the Police Officer came to know that one stolen Scorpio vehicle was parked at Hazi Market, Lakhisrai and then after raid, one Scorpio vehicle was found there and the owner of the parking informed that Sonu @ Roshan Kumar has parked the vehicle and that Sonu Kumar informed the Police that Rustam Beg and Prem Paswan have parked the same and no paper was produced, accordingly, the Scorpio vehicle was seized and Prem Paswan disclosed the name of the petitioners that they have given the aforesaid vehicle. Thereafter, the house of petitioner Rupesh Kumar was raided and one vehicle was recovered and for that no document was produced.

Submission is of false implication and that as a matter of fact the recovered vehicle is of the petitioner which he has purchased from one Satyadeo Singh vide annexure-3 series and in this regard all the papers are in possession of the petitioner Rupesh Kumar, nothing has been recovered from the possession of the petitioner Jitendra Kumar and they have been made victims of high handedness of the Police officials.

Learned APP submits that co-accused have stated the name of the petitioners.

In the facts and circumstances stated above, considering that the petitioner Rupesh Kumar is claiming the recovered vehicle as his own and for that he has filed annexure 2 and 3 series which reveals that the petitioner Rupesh Kumar purchased the Scorpio vehicle from Satyadeo Singh and as such, the petitioners of both the cases named above, in case of their surrender or arrest within two months from the date of receipt/production of a copy of this order, shall be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Lakhisarai in connection with Suryagarha P.S. Case No. 111 of 2014, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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