

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12910 of 2015

Arising Out of PS.Case No. -114 Year- 2014 Thana -TARAPUR District- MUNGER

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1. Md. Sonu @ Md. Sajim S/o Md. Saffi Alam Resident of Village -
Mubarak Chack, P.S. - Muffasil, Distt. - Munger.... Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Kamal Nayan

For the Opposite Party/s : Mr. U.S.P Singh (App)

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA
PRATAP SINGH
ORAL ORDER

3 02-07-2015 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in a case under section
379 of the Indian Penal Code.

It is alleged that Hero Splendor Motorcycle was stolen
from the house of the informant's driver in the night of
9.10.2014. However, during the course of investigation one oil
tank, one front mud-guard, one back mud-guard, one head light
and two panels of the motor cycle was recovered from the house
of the petitioner. It further appears from perusal of paragraph 50
of the case diary that the Investigating Officer found a petrol tank
of Motor cycle bearing registration No.BR-10R-155 which is said
to have been stolen in the alleged night of occurrence.

Learned counsel for the petitioner submits that the
petitioner has no criminal antecedent and it cannot be said with

certainty that the seized articles belongs to the same motor cycle.

Having considered the facts and circumstances of the case, I am not inclined to grant anticipatory bail to the petitioner. The prayer for anticipatory bail of the petitioner is rejected. However, in case the petitioner surrenders and pray for regular bail, the same would be considered on its own merit without prejudice.

(Samarendra Pratap Singh, J)

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