

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29841 of 2016

Arising Out of PS.Case No. -104 Year- 2016 Thana -SIWAN CITY District- SIWAN

Hassan Iqbal @ Hassan son of Late Kaish Ali resident of Mohalla - Mirchai
Sah Ke Takiya, Police Station - Siwan (Town), District Siwan.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amir Alam, Adv.

For the Opposite Party/s : Mr. Rajesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 04-10-2016 Heard both sides.

The petitioner apprehends his arrest in Siwan (Town)
P.S. Case No. 104/2016, registered for the offences punishable
under Sections 461, 380, 411 and 34 of the Indian Penal Code.

Hifzur Rahman the informant alleged that he runs a shop
of motor parts and he found that somebody is committing theft in
his shop. On suspicion he enquired from Taju Khan and Guddu
who were working in the shop of the informant and they disclosed
that they were committing theft of motor parts and selling it to the
petitioner. When the informant along with Taju Khan and Guddu
were going towards the house of the petitioner, he saw Sakil
brother of the petitioner was on a T.V.S motorcycle having three
bags on the motorcycle and he fled away after seeing them. On

search different motor parts were recovered.

Learned counsel for the petitioner submits that nothing has been recovered from the conscious possession of the petitioner. Nobody has seen that the petitioner purchased any stolen motor parts. The brother of the petitioner was carrying motor parts in three bags which are said to have been seized, but it appears that two workers namely, Tajju Khan and Guddu who were working in the shop of the informant have very categorically stated that they were committing theft and selling the stolen parts to the petitioner. From the house of petitioner the brother was taking motor parts and when confronted with the informant, he fled away.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner above-named on anticipatory bail. Accordingly, the same is rejected.

If the petitioner surrenders in the court below learned court below shall consider his prayer for regular bail on its own merit.

(Prabhat Kumar Jha, J.)

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