

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12853 of 2016

Arising Out of PS.Case No. -774 Year- 2015 Thana -LAKHISARAI District- LAKHISARAI

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Besar Mahtha Son of Late Faudari Mahtha, resident of Village + Post
Office- Dhira, Police Station- Halsi, District- Lakhisarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Raju

For the Opposite Party/s : Mr. Md. A.H.Sahara(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 07-04-2016

Heard learned counsels for the petitioner

and the State.

The petitioner is apprehending his arrest in
a case registered for the offences punishable under Sections 419,
420, 467, 468 and 471/34 of the Indian Penal Code.

The prosecution case is that the informant
Shani Chawla purchased Hero Honda Splendor Motorcycle
bearing Registration No. BR-530942 in 2002 but he went to
Ludhiana for a considerable period and on return he found that
the motorcycle was driven by this petitioner when the petitioner
claimed that he purchased the said motorcycle from the uncle of
the informant, namely, Yogendra Singh.

It is submitted by learned counsel for the

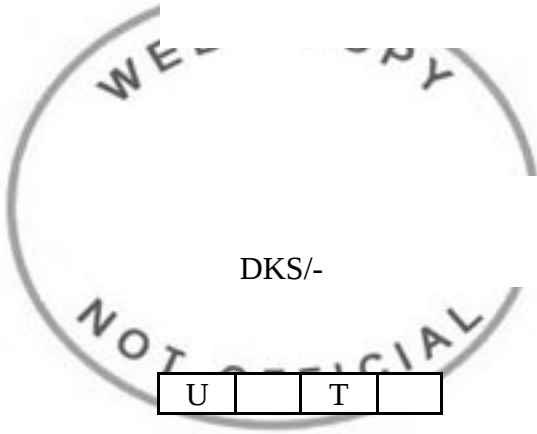
petitioner that the petitioner purchased the said motorcycle from the informant himself and it was transferred in the name of the petitioner in 2010, Xerox copy of the registration certificate has been brought on record by way of supplementary affidavit whereas the present case has been lodged in 2005.

A statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail provisionally for four months, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai in connection with Lakhisarai (Kabaiya) P.S. Case No. 774 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Let the learned court below get verified from the District transport Office, Lakhisarai and if it is found that the motorcycle in question was registered in the name of the petitioner on the date of filing of the FIR then the provisional bail will be confirmed by the learned court below but in case the

learned court below found otherwise, the petitioner will
surrender and pray for regular bail.



(Dinesh Kumar Singh, J)

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