

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49002 of 2015

Arising Out of PS.Case No. -176 Year- 2015 Thana -MEERGANJ District- GOPALGANJ

Santraj Singh, Son of late Jodhan Singh, Resident of Village- Walepur
Police Station -Fulwariya District Gopalganj.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh

For the Opposite Party/s : Mr. Sunil Kumar Pandey(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 05-02-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehend his arrest in connection with
Mirganj P.S. Case No. 176 of 2015 pending in the court of
learned Chief Judicial Magistrate, Gopalganj for the offences
instituted under Sections 414, 420, 468, 471 and 34 of the Indian
Penal Code.

As per the prosecution case, it appears that on
21.06.2015 at 11:30 a.m. the informant received a secret
informant that one Ashok Kumar Verma of village Narainia was
cutting the theft Bolero vehicle at his door. Accordingly, he
proceeded to the P.O. along with the police party after informing
the S.H.O. and when he reached there, he found that one while



colour Bolero vehicle was standing and its bonnet was opened and a person was losing or tightening the nut of the vehicle by wrench and seeing the police, started to flee away, but the police apprehended him. On query, he disclosed his name as Ashok Kumar Verma. He also disclosed that he had purchased the Bolero Vehicle bearing Registration no. BR-28-6525 from the petitioner which sale letter has not been given by him. Thereafter, in presence of two independent witnesses, he made search and seizure of the aforesaid vehicle and other parts of motor vehicle and tools. During search it came to light that there is punching in the engine number also.

It is submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. The Bolero in question which is said to have been recovered from the possession of Ashok Kumar Verma, petitioner claims to be bonafide owner of the vehicle. From the perusal of Annexure-2, the sale letter, it is evident that the petitioner had sold the said vehicle in question to Sanjit Kumar Verma, son of Ashok Kumar Verma. The petitioner has been made accused due to mistake of fact. Nothing incriminating material is said to have been recovered from his possession.

On behalf of the State and informant, it is submitted

that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail in the event of their arrest or surrender before the learned court below within a period of six weeks from today in connection with Mirganj P.S. Case No. 176 of 2015 on furnishing bail bond of Rs.10,000/- (Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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