

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1739 of 2016

Arising Out of PS.Case No. -326 Year- 2015 Thana -MADHUBAN District-
EASTCHAMPARAN(MOTIHARI)

=====

Dinesh Tiwari son of Raj Narayan Tiwari,

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate

For the Opposite Party/s : Mr. Amit Kumar Rakesh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 13-01-2016

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 414, 420, 465, 466, 467, 468, 471, 474, 34 of the Indian Penal Code.

Prosecution case is that on 20.10.2015, the police during the vehicle check, gave signal to stop a tractor but the person, who was on the tractor, tried to flee away, but was nabbed. Subsequently, one Rupesh Tiwary disclosed that the tractor is stolen one.

It is submitted by learned counsel for the petitioner that petitioner is *bona fide* purchaser of the tractor, in question and moreover, 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 provisional anticipatory bail for four months, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-4, Motihari in connection with Madhuban P.S. Case No.326/2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The provisional bail of the petitioner will be confirmed by the learned court below, if on verification it comes that the petitioner is *bona fide* purchaser of the tractor, in question, but if it comes otherwise then the petitioner will surrender and pray for regular bail.

(Dinesh Kumar Singh, J)

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