

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16667 of 2016

Arising Out of PS.Case No. -39 Year- 2016 Thana -RUNISAIDPUR District- SITAMARHI

Kundan Singh

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashhar Mustafa

For the Opposite Party/s : Mr. Manish Kumar 2 (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 19-04-2016

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under section 414 of the Indian Penal Code.

The prosecution case is that on 28.1.2016 the informant being police officer intercepted the motorcycle without registration when one person escaped from the scene but the other person who was apprehended disclosed his name as Vishal Kumar Jha. The apprehended accused disclosed the name of the petitioner who escaped from the scene. Subsequently it was found that the owner of the motorcycle namely Pradeep Kumar already lodged a case for theft of his motorcycle.

It is submitted by the learned counsel for the

petitioner that the stolen motorcycle has not been recovered from the possession of the petitioner hence no case under section 414 IPC is made out against the petitioner. Though the petitioner is accused in one other case but it is submitted that he is on bail in that case.

The aforesaid facts constitute ground for consideration of the prayer for regular bail of the petitioner by the learned court below in case the petitioner surrenders within six weeks from today in connection with Runnisaidpur P.S. Case No. 39 of 2016 pending in the court of learned CJM, Sitamarhi.

This application is disposed of with the aforesaid observation/direction.

(Dinesh Kumar Singh, J)

Anil/-

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