

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23413 of 2016

Arising Out of PS.Case No. -39 Year- 2016 Thana -KOTWA District-
EASTCHAMPARAN(MOTIHARI)

Satyendra Kumar Son of Ganesh Rai resident of village - Dipau, P.S.
Kotwa, District - East Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar

For the Opposite Party/s : Mr. J.N. Thakur (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 24-05-2016

Heard learned counsels for the petitioner

and the State.

The petitioner is apprehending his arrest in
a case registered for the offences punishable under Section 379
of the Indian Penal Code.

The prosecution case is that the informant
purchased a TVS Apache motorcycle from one Niraj Kumar but
transfer of ownership was not made. On 23.03.2016 the
petitioner took the said motorcycle from the Dalan of the
informant and it was seen by Raghav Prasad Yadav and Binod
Prasad Yadav.

It is submitted by learned counsel for the

petitioner that the petitioner is the agnate of the informant and due to old enmity the petitioner has been made accused in the present case. A statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent. Moreover, the recovery has not been made from the petitioner.

The aforesaid facts constitute ground for consideration of prayer for regular bail by the learned court below, if the petitioner surrenders before the learned court below within a period of six weeks from today in connection with Kotwa P.S. Case No. 39 of 2016 pending in the court of learned Chief Judicial Magistrate, Motihari, East Champaran.

Accordingly, this application is disposed of.

(Dinesh Kumar Singh, J)

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