

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41242 of 2016

Arising Out of PS.Case No. -57 Year- 2016 Thana -PAROO District- MUZAFFARPUR

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Santosh Thakur @ Santosh Kumar Son of Rajendra Thakur @ Katak
Thakur, resident of Village- Kataroo, P.S.- Paroo, District- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

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

For the Opposite Party/s : Ms. Rita Verma, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 17-10-2016

Heard both sides.

The petitioner apprehends his arrest in Paroo P.S.

Case No. 57 of 2016 registered under Sections 414/34 of the
Indian Penal Code.

The police got information that Sunil Thakur has kept
stolen vehicle and, on such, the house of Sunil Thakur was
searched. One Passion Pro motorcycle, bearing registration no. R-
05/4199, was recovered from the hut of Sunil Thakur and it
transpired that he was driving the motorcycle for last one month.
During the course of search, the informant also came to know that
the motorcycle was kept at the Darwaza of the petitioner and
the same was duly seized. The witnesses disclosed that the
petitioner and Chandan Kumar were driving the motorcycle and
they fled away leaving the motorcycle on the Darwaza of the

petitioner.

Learned counsel for the petitioner submits that the petitioner was not apprehended on the spot and there is nothing on the record to show that the petitioner committed theft of any motorcycle. From the conscious possession of Chandan Kumar, the motorcycle was recovered. Chandan Kumar was seen moving on the motorcycle.

It appears that the petitioner was also seen moving on the motorcycle along with Chandan Kumar and the motorcycle was recovered from the Darwaza of the petitioner.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail in Paroo P.S. Case No. 57/16. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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