

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47295 of 2015

Arising Out of PS.Case No. -155 Year- 2015 Thana -RAMNAGAR District-
WESTCHAMPARAN(BETTIAH)

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Subash Kumar @ Subhash Kumar Yadav Son of Deepak Yadav Resident
of village - Murila, Ward No. 1, P.S. Ram Nagar, District - West
Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kr Singh No. 1, Advocate

For the Opposite Party/s : Mr. Lalan Kumar (APP)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 09-03-2016 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

Petitioner apprehends his arrest in connection with
Ram Nagar P.S. Case No. 155 of 2015 registered for offence
punishable under Section 407 of the Indian Penal Code.

The prosecution case, in brief, is that the informant had
purchased Bolero vehicle, bearing Registration No. BR 01
PB4467 from one Mukesh Kumar, son of Awadhesh Sing, resident
of village Fatehpur, P.S. Dhanaruwa, District Patna in the month of
February, 2015 and for transfer of the ownership of the said
vehicle, deposited the paper in D.T.O., Patna. Petitioner was
driving his Bolero for the last five months. On 31.07.2015, in the

morning, informant had sent the petitioner to Patna Junction with Bolero for receiving his relatives, but he disappeared along with Bolero vehicle. It is further alleged that petitioner has intentionally taken away Bolero vehicle of the informant.

It has been submitted by the counsel for the petitioner that petitioner is innocent and has not committed any offence nor has any criminal history. It has further been submitted that the First Information Report has been lodged after inordinate delay of the alleged date of occurrence. It has further been submitted that the very ownership of the said vehicle belonging to the informant is doubtful, as no paper has been produced and only on the basis of suspicion, petitioner has falsely been implicated.

Learned A.P.P. for the State, on the other hand, submits that perusal of various paragraphs of the case diary, complicity of the petitioner is evident and the vehicle has not yet been recovered and, thus, opposes the prayer for bail.

Be that as it may, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of eight weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) with two sureties of like amount each to the satisfaction of learned

Additional Chief Judicial Magistrate, Bagaha, District West Champaran in connection with Ram Nagar P.S. Case No. 155 of 2015, subject to the conditions as laid down under Section 438 (2) of the Cr. P.C.

(Nilu Agrawal, J.)

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