

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6034 of 2017

Arising Out of PS.Case No. -40 Year- 2016 Thana -KATRAHA District- VAISHALI(HAJIPUR)

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1. ARUN RAI @ ARUN KUMAR S/o Rajeshwar Rai R/o Mahua Singh
Rai (East) P.S.-Mahua, Dist.-Vaishali

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sudha Chandra

For the Opposite Party/s : Mr. Sri Ajay Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 20-02-2017

Heard learned counsel for the petitioner and the

State.

The petitioner apprehends his arrest in Kartahan
P.S. Case No. 40 of 2016 instituted for the offence under
Section(s) 442, 443, 414, 419, 420, 467, 468, 471, 120B of the
Indian Penal Code and Section 25(1-b) A, 26 and 35 of the Arms
Act.

From the seizure list, it appears that one Bolero
vehicle and two motorcycles have been recovered from the
possession of this petitioner.

It has been submitted that the Bolero vehicle
was purchased by the mother of this petitioner on 24.07.2014 from
one Mukesh Kumar of Gandhi Nagar, Darjeeling, West Bengal.



The said vehicle was transferred in the name of the mother of the petitioner and she is paying insurance premium also. The owner book and insurance certificate have been brought on record as Annexure-2. It has further been submitted that one of the motorcycles bearing registration No. BR-0-1CP 7688 was the purchased vehicle of the petitioner from Chandan Automobiles, Kankarbagh, Patna which is insured with General Insurance Company. The certification of registration and the retail invoice have been annexed as Annexure-7. It is also submitted that another vehicle bearing registration No. BR-06-AM 4436 is the purchased motorcycle of the brother of the petitioner. He purchased the same from original owner Mohammad Zubair Alam who purchased the same after getting loan from Indusland Bank and sold the same to the brother of the petitioner on 20.02.2016. The brother of the petitioner had applied for transfer of the said vehicle in his name before the D.T.O., Muzaffarpur. The certification of registration and the sale letter has been annexed as Annexure-8 series.

In this manner, from the aforesaid documents filed on behalf of the petitioner, it appears that the said vehicles are not the stolen vehicles. Hence, in the facts and circumstances of the case, the prayer of the petitioner for anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named



above, within six weeks from today in connection with Kartahan P.S. Case No. 40 of 2016, he shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, IV, Vaishali, Hajipur, subject to the conditions as laid down under Section 438(2) of Cr.P.C.

Shageer/-

(Sanjay Priya, J)

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