

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53099 of 2017

Arising Out of PS.Case No. -12 Year- 2017 Thana -PHENHARA District- EASTCHAMPARAN
(MOTIHARI)

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Chandan Rai @ Chandan Yadav, Son of Pukar Rai @ Rampukar Rai,
Resident of Village Rajpur Kaul Marpa, P.S. Fenhara, District East
Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner : Mr. Sangeet Deokuliar, Advocate

For the State : Mr. Ajay Kumar-I, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

2 10-11-2017 Heard learned counsel for the petitioner and the

learned Additional Public Prosecutor appearing on behalf of the

State.

The petitioner apprehends his arrest in connection
with Fenhara P.S. Case No.12 of 2017, registered under Sections
379, 411, 413, 414, 465, 468, 471 and 474/34 of the Indian Penal
Code.

Allegation in brief is that the co-accused Shivam
Kumar was apprehended by the police while moving on
motorcycle in a suspicious condition. The motorcycle was found
stolen one as no paper was shown and Shivam Kumar in his
confessional statement disclosed the stolen motorcycle to be in
possession of some of the accused including the petitioner, in



whose house one stolen motorcycle was parked and was kept there and the same was recovered thereafter by the police.

Learned counsel for the petitioner submits that Shivam Kumar was resident of adjacent village and he parked the motorcycle in the house of the petitioner and the petitioner has no concern with the same.

However, considering the recovery of the stolen motorcycle from the house of the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer of anticipatory bail of the petitioner stands rejected in connection with Fenhara P.S. Case No.12 of 2017, pending in the court of learned A.C.J.M., 12, Motihari, East Champaran.

However, the petitioner may surrender and seek regular bail and the same shall be considered on merit without being prejudiced by this order.

(Arun Kumar, J.)

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