

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36376 of 2017

Arising Out of PS.Case No. -1062 Year- 2016 Thana -SASARAM NAGAR District- SASARAM
(ROHTAS)

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Premchand Paswan, Son of Late Ramashish Paswan, resident of Village-
Kundwa, P.S. Sasaram (Agrer O.P.), District- Rohtas.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhat Ranjan Singh, Adv.

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN
PRASAD
ORAL ORDER

2 10-08-2017 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is seeking regular in connection with
Sasaram (Town) P.S. Case No.1062 of 2016 registered for the
offences under Sections 379, 420, 406, 461, 462 and 384 of the
Indian Penal Code.

Learned counsel for the petitioner submits that the
present case arises out of a Complaint Case No.857 of 2016 filed
in the court of learned C.J.M., Sasaram at Rohtas on 01.09.2016
alleging that on 17.08.2016 at 11.00 am the driver of the
complainant namely Krishna who drives his Mahindra TUV 300T
vehicle bearing Reg. No. BR 26J 0432 took away the vehicle to



Varanasi in the name of treatment of his relation, but did not return. Initially the driver said that he will return in three days but when he did not return and was not picking up the call, the complainant firstly attempted to lodge an FIR, made call to S.P. also, but F.I.R. was not lodged. It is further alleged that police officer Praveen made a call on the mobile of the wife of driver and she was informed that the FIR will be lodged tomorrow then in the night of 23.08.2016 driver Krishna gave a call to him and informed that his friend had fled away after snatching the vehicle and as per the informant driver started narrating a concocted story. The driver informed the police that there was a kidnapping by his friend in Varanasi, despite all these FIR was not lodged. The informant further claimed that his driver found a number in his mobile which belonged to a LJP leader namely Premchand Paswan. When informant met this Premchand (petitioner) he said that he had received a call from a boy who is in his relation, the said boy was offering the stolen truck for Rs. 6 Lakhs, on which this petitioner offered him Rs. 2 Lakhs. The informant further claimed that he requested the accused Premchand Paswan to bring his vehicle then he asked him to contact next day. Next day, he went with Manoj Kumar driver of his pickup van. Both the petitioner and driver of this informant were found close to each



other as a friend. The informant further alleged that Premchand Paswan asked for Rs.500/- to make enquiry with regard to vehicle within two hours. On 25.08.2016 at about 12.00 noon Premchand Paswan came to his house then he informed that his relation Manish Paswan had sold the vehicle in Rs.1,60,000/- in connivance with driver and if they assured for payment of money then he can bring the vehicle at his door, for this he demanded Rs.30,000/-. The informant further claimed that he gave Rs.30,000/- but the vehicle was not brought to him thereupon the driver of the pickup van told the informant for payment of Rs.1,30,000/- and was also informed that the vehicle is with Premchand Paswan.

The story as made out in the FIR clearly suggests active participation of the present petitioner.

Learned counsel for the petitioner submits that the petitioner is a social worker and has falsely been implicated in the present case, he has no role to play in taking away the vehicle of the informant and/or selling of the same as alleged.

Learned APP for the State opposed the prayer for bail and submitted that this petitioner has got criminal antecedent and there is one more case of the same nature against him being Shivsagar P.S. Case No.65 of 2015. The vehicle is yet to be



recovered.

A perusal of the record would show that the learned Additional District & Sessions Judge-IV, Rohtas, Sasaram has rejected the prayer for bail of the petitioner as in course of investigation it has come that he had actively participated in the sale of the vehicle and there are corroborative evidences to that effect.

Considering the facts and circumstances, I am not inclined to grant regular bail to the petitioner at this stage.

The application is dismissed.

(Rajeev Ranjan Prasad, J)

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