

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24494 of 2017

Arising Out of PS.Case No. -101 Year- 2015 Thana -BEGUSARAI MUFFASIL District-
BEGUSARAI

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Vivekanand Singh S/o Late Sitaram Singh, Resident of Village- Bhairwar,
P.S.- Mufassil, District- Begusarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Rajesh Kumar & Mr. Manoj Kumar.

For the Opposite Party/s : Mr. Anand Mohan Prasad Mehta.

For the Informant: Mr. Sandip Kumar Gautam.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 08-06-2017

Heard Sri Rajesh Kumar, learned advocate appearing

on behalf of the petitioner, and Sri Sandip Kumar Gautam, learned
advocate appearing on behalf of the informant.

The petitioner is apprehending arrest in Begusarai
Mufassil P.S. Case No. 101/15 registered under Sections 406, 420,
421, 467, 469, 471, 323 and 504 of the Indian Penal Code.

The prosecution case, as alleged in the First
Information Report, would show that the informant allegedly
purchased the vehicle in question from the accused petitioner after
he was shown the owner-book disclosing the name of the accused
petitioner as the registered owner. The further allegation is that
when he submitted the papers with the D.T.O., Muzaffarpur for
transfer of his name in the owner-book then it was disclosed that



the car is not registered in the D.T.O. office, Muzaffarpur and it is further disclosed that the vehicle in question is a stolen property.

Learned counsel for the petitioner would submit that it is a case of sale and purchase of the vehicle worth Rs. 1,11,000/- . Both the petitioner and the informant are neighbours. He would further submit that the petitioner is ready to refund Rs. 1,11,000/- to the informant subject to the conditions that he should deliver the vehicle in question in the same condition as it was delivered to the informant, however, learned counsel for the informant objects to this statement and opposed the prayer for anticipatory bail submitting that the petitioner being a neighbour indulged in selling a stolen property and, in good faith, the informant paid Rs. 1,11,000/- to the accused petitioner which is an admitted fact.

Considering the nature of allegations that it is not a simple case of sale and purchase of a vehicle rather upon completion of investigation police has submitted a chargesheet against the petitioner under Sections 406/420, 467/469/471/323/504 of the Indian Penal Code, I am not inclined to grant anticipatory bail to the petitioner. The prayer for anticipatory bail is refused.

(Rajeev Ranjan Prasad, J)

Dilip, AR

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