

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15013 of 2017

Arising Out of PS.Case No. -68 Year- 2016 Thana -BADHAILA District- SASARAM (ROHTAS)

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1. Sushil Kumar Tiwary, son of Late Rama Kant Tiwari, Resident of Proprietor Maa Bindhwasini Enterprises, Near Macka Purani Road, Sasaram, Police Station- Sasaram, District- Rohtas (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar. null null

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alamdar Hussain, Adv.

For the State : Mr. Sri Nawal Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 12-04-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Baghaila P.S. Case No. 68 of 2016 initiated for the offence under Sections- 406,420/413 of the Indian Penal Code.

There is allegation against this petitioner that being proprietor of Maa Bindyawasini Enterprises, he took the stolen property. There is specific allegation against this petitioner in the written report that he sold the stolen tractor, which belongs to one Santosh Singh to Krishna Singh.

It has been submitted by petitioner that he has taken the aforesaid tractor in exchange. This court is unable to understand how the stolen tractor was taken in exchange by this petitioner, who is the proprietor of Maa Bindyawasini Enterprises,



without looking into the valid paper, owner book etc. It further appears that the aforesaid tractor alleged to be stolen one, was sold by this petitioner to one Krishna Singh. This fact has been admitted by the petitioner and is also mentioned in the written report itself. Therefore this court does not find it a fit case for grant of anticipatory bail. Accordingly, prayer for anticipatory bail of the petitioner stands rejected.

Petitioner may surrender and make prayer for regular bail which shall be considered by court below in accordance with law without being prejudiced by this order.

(Sanjay Priya, J)

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