

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49161 of 2016

Arising Out of PS.Case No. -6 Year- 2016 Thana -BANIAPUR District- SARAN

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GOVIND SONI SON OF PRAMESHWAR SAH @ PRAMESHWAR
SINGH, RESIDENT OF VILLAGE- MUSTAFABAD, POLICE
STATION- GOREA KOTHI, DISTRICT- SIWAN.

.... PETITIONER/S

VERSUS

THE STATE OF BIHAR

.... OPPOSITE PARTY/S

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Appearance:

For the Petitioner/s : Mr. Bijay Prakash Singh, Adv.

For the Opposite Party/s : Mr. Sharda Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

3 11-01-2017 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor.

There was an unsuccessful attempt of road robbery for
which instant case has been registered against unknown. It is also
apparent that due to unavoidable circumstances, the miscreants were
forced to leave motorcycle at the spot.

From the case diary, it is evident that during course of
investigation police had inquired from DTO Office, Siwan regarding
ownership of the motorcycle whereupon it was informed that Sri
Chandra Vijay Prakash Yadav happens to be owner who appeared and
placed sale letter wherefrom it is apparent that aforesaid vehicle was
sold to Asif Raja on 13.08.2010. Then thereafter police noticed Asif
Raja who also appeared and shown sale letter wherefrom it is evident
that aforesaid motorcycle was sold to the petitioner. However, owner
book has not been transferred nor any effort has been taken at the end
of the petitioner for getting the owner book transferred in his name. Up
till now petitioner has not prayed for release of the motorcycle.



Learned counsel for the petitioner submits that on account of rash and negligence driving, the informant dashed against his vehicle. Being local, informant forced the petitioner to leave the place. Furthermore, it has also been submitted that petitioner has not been put on T.I. Parade though charge sheet had already been submitted. It has also been submitted that petitioner is under custody since 23.08.2016 having only one case pending against him by way of criminal antecedent.

Learned Additional Public Prosecutor opposed the prayer.

Considering the conduct of the petitioner, I do not see it a fit case for grant of bail at the present. Prayer for bail is rejected. However, after examination of the informant, the learned lower court will release the petitioner on bail to its own satisfaction.

(Aditya Kumar Trivedi, J.)

Prakash Narayan

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