

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56229 of 2017

Arising Out of PS.Case No. -53 Year- 2017 Thana -TAJPUR District- SAMASTIPUR

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Subhash Kumar Singh, Son of Baleshwar Singh, Resident of Village-
Pahadpur, Police Station-Baligaon, District-Vaishali.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Pravesh Nath Tiwari, Advocate.

For the Opposite Party/s : Mr. Sri Satyavarat Verma, APP

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

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

The petitioner apprehends his arrest in connection
with Tajpur P.S. Case No. 53 of 2017, registered under Section
414 of the Indian Penal Code, pending in the court of Additional
Chief Judicial Magistrate-I, Samastipur.

The accusation is that in course of patrolling duty, one
Barun Kumar, met with the informant, Manoj Kumar, A.S.I. of
Tajpur Police Station and told that he is the driver of Tata Sumo
Gold bearing registration no. BR17L- 0001, which was parked in
front of his house on 26.02.2017, but in the next morning the said
vehicle was traceless. Barun Kumar, driver of the vehicle also
disclosed that as per G.P.S. installed in the vehicle, the said Tata



Sumo Gold is in Tajpur area. On such information, the informant along with police official reached there and found that a white Tata Sumo Gold bearing registration no. JH01L-1482 was standing. On query, one Phulender Kumar Shah disclosed that the said vehicle was carried from the petitioner, Subhash Kumar, for selling at the rate of Rs.60,000/- and paid Rs.10,000/- to the petitioner and rest amount was to be paid after handing over the papers. On opening the engine, it was detected that the registered number of white Tata Sumo Gold is BR17L- 0001.

Learned counsel for the petitioner submits it would appear from the seizure list that the Jeep was seized on 28.02.2017 at 2.15 A.M., but the F.I.R. lodged on 01.03.2017 at 9.15 A.M., which clearly indicates about the false allegation. Further submission is that petitioner has no criminal antecedent except Kankarbagh P.S. Case No. 957 of 2016.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, his prayer for grant of anticipatory bail stands rejected. The petitioner is directed to surrender before the trial court within four weeks and pray for regular bail, which would be considered by the trial court in accordance with law without being prejudiced by the



order of this Court.

(Rajendra Kumar Mishra, J)

Bhardwaj/-

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