

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55573 of 2016

Arising Out of PS.Case No. -124 Year- 2016 Thana -ANDHRATHARI District- MADHUBANI

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1. Rajendra Yadav, Son of Jay Lal Yadav, Resident of Village- Tharuahi,
Police Station- Rudrapur, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lakshmindra Kumar Yadav

For the Opposite Party/s : Mr. Ashok Kumar Singh 1

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 12-01-2017 Heard both sides.

The petitioner apprehends his arrest in Andhrathari
P.S. case No. 124 of 2016 under Section 413, 414 of the Indian
Penal Code.

One Sheocharan Thakur was apprehended and he
disclosed that he purchased the vehicle from Manohar Jha and
Rajendra Yadav, the petitioner. In pursuance of the disclosure
made by Sheocharan Thakur and after recovery of Hero Honda
motor cycle from his possession one Sumo Victa vehicle was
recovered in front of the shop of the petitioner and one other
motor cycle was also recovered outside the railway station.

The learned counsel for the petitioner submits that
nothing has been recovered from the conscious possession of the



petitioner and there is no material to show that petitioner had committed any theft or he had taken the stolen vehicle but it appears that witnesses have stated that a Sumo Victa vehicle was recovered in front of the shop of petitioner and Sheocharan Thakur, from whose possession stolen motor cycle was recovered, has also disclosed that petitioner sold the same to him.

Considering the facts aforesaid and the nature of allegation made against the petitioner, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

If the petitioner surrenders in the court below, i.e., Shri Devesh Kumar, learned Judicial Magistrate, 1st class, Jhanjharpur in Andhrathari P.S. case No. 124 of 2016, the learned court below shall dispose of the bail petition of petitioner on its own merit without being prejudiced from the order of this court.

(Prabhat Kumar Jha, J)

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