

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36562 of 2018

Arising Out of PS. Case No.-134 Year-2018 Thana- SAKRA District- Muzaffarpur

Aftab Alam @ Raja S/o Mustkim, R/o Vill.- Baswari Tola, P.S.- Mushari,
District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Adv.

Ms. Kanchan Kumari, Adv.

For the Opposite Party/s : Mr. Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 10-07-2018

Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is apprehending his arrest in
connection with Bariyarpur O.P. Sakra P.S. Case No. 134 of 2018
registered for offences under sections 414 and 34 of the Indian Penal
Code.

As per allegation, the police has inspected the garage
and found one dismantled “Swift Desire” Maruti car which was a
theft car and the parts of the vehicle was on sale.

Learned counsel for the petitioner submits that the
vehicle belongs to one Manoj Kumar who happens to be the friend of
his father who had brought the vehicle for its repairing and
maintenance and the same has been seized by the police. The car is
not a stolen one.

In the present case, a supplementary affidavit has been



filed annexing the photocopy of the Ownership Book. The original ownership book has also been placed before this Court for perusal.

Looking to the entire facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from today, be released on provisional bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Muzaffarpur in connection with Bariyarpur O.P. Sakra P.S. Case No. 134 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

It is made clear that the petitioner has been granted provisional anticipatory bail subject to verification of the Ownership Book made by the Authority concerned with respect to genuineness of the claim of Manoj Kumar. If it is found that the Ownership Book is genuine and the vehicle belongs to Manoj Kumar, the provisional anticipatory bail granted today will be confirmed but, if it is found that the aforesaid document is not genuine, in such circumstances, the provisional anticipatory bail granted today to the petitioner will be treated to have been withdrawn.

(Shivaji Pandey, J)

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