

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.51661 of 2018

Arising Out of PS.Case No. -61 Year- 2018 Thana -NAYAGAON District- SARAN

=====

Rakesh Kumar, aged about 28 years, Son of Satyanarayan Rai @ Satyanarayan,
resident of Village & Post- Bishunpur Pakri, P.S. Beur, District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

Date: 20-09-2018

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

2. The petitioner apprehends arrest in connection with Naya Gaon P.S. (Saran) F.I.R. Case No.61 of 2018 dated 04.05.2018, registered under Sections 414, 467, 468, 469, 420, 471 and 34 of the Indian Penal Code.

3. The allegation against the petitioner is use of stolen vehicle.

4. Learned counsel for the petitioner submitted that the vehicle which was seized was bought by him from the original owner prior to the date of incident, but the formality of transfer of registration was not complete as the same was still under process. It was submitted that even the Indian Oil Corporation has written to the police that the



oil which was being carried was of the Indian Oil Corporation. Learned counsel submitted that later the registration has also been transferred in the name of the petitioner and prior to the incident, the petitioner had got into agreement with the original owner for sale of the vehicle.

5. Learned A.P.P. submitted that transfer of ownership of the vehicle was after the incident when the vehicle was caught by the police, which would be clear from the fact that the paper which was seized when the vehicle was intercepted by the police in the certificate issued by the competent authority showed that the petitioner was the owner, which is completely false, as admittedly the ownership was transferred in favour of the petitioner only later on 14.06.2018.

6. Having considered the facts and circumstances of the case and submission of learned counsel for the parties, the Court is not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, the petition stands dismissed.

(Ahsanuddin Amanullah, J)

Sanjeev/-

AFR/NAFR	
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