

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.67040 of 2018

Arising Out of PS. Case No.-471 Year-2018 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

Bibhash Kumar Singh, Son of Yugal Kishore Singh, Resident of Village-
Darhandi, P.S. Sajour, Distt.-Bhagalpur Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Dr. Manoj Kumar, Advocate
For the Opposite Party/s : Mr. Rajkishore Singh, APP

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

2 17-12-2018 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with
Kotwali (Tilkamanjhi) P.S. Case No. 471 of 2018 registered for
the offences punishable under Sections 379, 411, 413 and 414 of
the Indian Penal Code.

One Awadhesh Kumar was caught and confessed that
he had stolen motorcycles and sold the same to several other
persons. Subsequently, some co-accused persons were arrested
and stolen motorcycles were recovered from their possession
and out of the aforesaid co-accused, one co-accused disclosed
that he had sold stolen motorcycle to the petitioner and,
thereafter, one motorcycle was recovered from the house of the
petitioner.

Submission on behalf of the petitioner is that the



petitioner had purchased the motorcycle from its real owner and as a matter of fact he had given aforesaid motorcycle for repairing work and it appears that the concerned mechanic replaced the original engine of the aforesaid motorcycle from the stolen motorcycle. Moreover, petitioner does not have any criminal antecedents, which is evident from paragraph No. 3 of the petition.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioner, in the event of his arrest/ surrender within four weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur in Kotwali (Tilkamanjhi) P.S. Case No. 471 of 2018 subject to conditions as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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