

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38129 of 2018

Arising Out of PS. Case No.-32 Year-2018 Thana- DHANGAI District- Bhojpur

Vikash Kumar, Son of Hanuman Patha, Resident of Village- Keshari Tola,
P.S.- Dhangai, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Sri Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 10-07-2018 Heard learned Counsels for the petitioner and learned APP
for the State.

The petitioner is apprehending arrest in a case registered
for the offences punishable under Sections 411,413,414, 420,
468, 471/34 of the Indian Penal Code.

The prosecution case got initiated on the basis of written
report dated 08.05.2018 submitted by Krishna Yadav to the
Station House Officer, Dhangai Police Station is to the effect
that on 08.05.2018 during paroling and vehicle check, one
motorcycle was intercepted, and on being asked, the driver of
the vehicle could not produce the relevant documents. The
driver of the vehicle disclosed his name as Sonu Thakur.
Subsequently, he was apprehended and he further disclosed that
he purchased the said motorcycle from the petitioner, Vikash
Kumar and co-accused, Birendra Kumar after paying the



consideration amount of Rs.20,000/-. During investigation, it was transpired that motorcycle in question was registered in the name of one Mukesh Kumar Chanchal which was stolen in January 2018 from Buxar for which, FIR was lodged in Buxar Town Police Station.

It is submitted by learned counsel for the petitioner that since the petitioner is a co-villager of Sonu Thakur and he has some dispute with him with regard to the payment of some dues amount, he maliciously named the petitioner in the present case. It is further stated that the recovery of the motorcycle has not been made from the petitioner. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

It is submitted by learned APP for the State that the name of the petitioner sprang up on the confession of co-accused, Sonu Thakur from whom stolen motorcycle has been recovered.

Considering the fact that recovery has not been made from the petitioner, coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two



sureties of the like amount each to the satisfaction of the learned
ACJM-1, Bhojpur, Ara, in connection with Dhangai P.S. Case
No.32 of 2018, subject to the conditions as laid down under
Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

Ashwini/-

U		T	
---	--	---	--

