

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.7895 of 2019

Arising Out of PS. Case No.-339 Year-2018 Thana- LALGANJ District- Vaishali

Randhir Paswan, aged about 25 years, male, Son of Agnu Paswan, Resident of Village – Manpur, Police Station – Lalganj, District – Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Shyameshwar Kumar Singh

For the Opposite Party/s : Mr. Tapeswar Sharma

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 11-02-2019 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is apprehending his arrest in a case registered for offences punishable under Sections 414 of the Indian Penal Code.

Prosecution case as per the self written report of Sanjay Kumar Singh, A.S.I., Lalganj Police Station is to the effect that on 20.09.2018, at 3.30 P.M., he received a secret information to the effect that one stolen motorcycle has been kept in the house of one Abhinandan Kumar, resident of village – Manpur, upon which, a raid was laid and a Passion Pro motorcycle was recovered. Abhinandan Kumar confessed that he got the motorcycle from Raja Kumar @ Raja and suggested



that further recovery can be made from the house of Raja Kumar @ Raja and the house of Randhir Paswan. Considering the same, the house of petitioner was raided, from where, one Bajaj Platina motorcycle was recovered.

It is submitted by learned counsel for the petitioner that the motorcycle initially belonged to one Jyoti Kumar, who sold the same to Ram Babu Das and from Ram Babu Das, the petitioner purchased the said motorcycle. Moreover, there is nothing on record to suggest that the motorcycle in question is a stolen motorcycle.

Considering the fact that on the date of recovery of the said motorcycle, the same was not transferred in the name of the petitioner, this court is not inclined to grant the privilege of anticipatory bail to the petitioner.

Let the learned Court below consider the prayer for regular bail of the petitioner, if he surrenders before the court below within a period of six weeks, in connection with **Lalganj P.S. Case No.339 of 2018** pending in the Court of **learned CJM, Vaishali at Hajipur** keeping in view the fact that even the original papers of the vehicle has not been claimed and there is nothing available on record to show that the recovered motorcycle is stolen one.



This application is accordingly, dismissed.

(Dinesh Kumar Singh, J)

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