

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13338 of 2019

Arising Out of PS. Case No.-385 Year-2018 Thana- ISLAMPUR District- Nalanda

Golu Kumar, Son of Pravin Yadav Resident of Village - Mahrogoraiya, P.S.-
Islampur, Distt.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh

For the Opposite Party/s : Mr.Syed Ehteshamuddin

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 06-03-2019 Heard learned counsels for the petitioner and the
State.

The petitioner is apprehending arrest in a case registered
for the offence punishable under Section 414 of the IPC.

The prosecution case, as per the written report of
Bindeshwari Singh, being the A.S.I., of Police, Islampur Police
Station, dated 09.11.2018, submitted to the Station House
Officer, Islampur Police Station, is to the effect that on secret
information, raid was laid at the house of co-accused, Shankar
Prasad, where a Passion motorcycle was found parked and co-
accused, Manish Kumar was apprehended from the spot, who
suggested that co-accused Sonu Kumar has the knowledge about
the ownership of the alleged motorcycle. Subsequently, co-
accused, Sonu Kumar was arrested, who suggested the name of



the petitioner and from front of the house of the petitioner, one stolen Glamour motorcycle was seized, however, it is alleged that the petitioner escaped from the scene.

It is submitted by learned counsel for the petitioner that recovery has not been made from the conscious physical possession of the petitioner, rather recovery has been made from the front of the house of the petitioner.

Learned APP submits that recovery of stolen motorcycle has been made from the front of the house of the petitioner.

Considering the nature of accusation and keeping in view that the petitioner is made accused in two other cases, this Court is not inclined to grant anticipatory bail to the petitioner.

Accordingly the prayer for anticipatory bail of the petitioner is rejected in connection with Islampur P.S. Case No. 385 of 2018, pending in the Court of learned Additional Chief Judicial Magistrate, Hilsa, Nalanda.

However, learned Court below may consider the prayer for regular bail of the petitioner, if he surrenders within a period of six weeks, keeping in view the fact that similarly situated co-accused, Manish Kumar @ Monu Kumar has been granted bail by a co-ordinate Bench of this Court, vide order dated 16.01.2019, passed in Cr. Misc. No. 80606 of 2018.



Accordingly, the present application is disposed of.

(Dinesh Kumar Singh, J)

Amrendra/-

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