

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21061 of 2019

Arising Out of PS. Case No.-555 Year-2018 Thana- MOTIHARI MUFASIL District- East
Champaran

MASTI RAY @ MASTI ROY @ MASTI KUMAR YADAV Son of Mangaru
Ray Resident of Village- Pakariya, P.S.- Chouradano, District- East
Champaran, Motihari.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra
For the Opposite Party/s : Mr. J. N. Thakur, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 05-04-2019 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending arrest in a case registered
for the offences punishable under Sections 414 and 120B/34 of
the Indian Penal Code.

The prosecution case got initiated on the basis of written
report of Jainath Prasad, A.S.I., Lakhaura P.S. submitted before
the Station House Officer, Lakhaura Police Station is to the
effect on 05.09.2018 at 6.15 A.M. during vehicle check, the
police intercepted a motorcycle on which two persons were
travelling, but on demand being made, they failed to produce the
relevant document of the vehicle. The apprehended co-accused
disclosed their names as Ravi Kumar and Phool Mohammad
and they further disclosed that the vehicle is stolen one and they



have purchased the same from the petitioner after paying Rs.5000/-.

It is submitted by learned counsel for the petitioner that the said recovery has not been made from the conscious physical possession of the petitioner nor there is any documentary proof that the apprehended co-accused persons purchased the vehicle in question 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 apprehended accused persons who are travelling on the stolen motorcycle have named the petitioner as a person from whom they have purchased the vehicle in question.

Considering the fact that the recovery has not been made from the possession of the petitioner and the name of the petitioner sprang up on the confession of apprehended co-accused 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 CJM, East Champaran,
Motihari, in connection with Mufassil (Lakhaura) P.S. Case
No.555 of 2018, subject to the conditions as laid down under
Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

Ashwini/-

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