

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61322 of 2019

Arising Out of PS. Case No.-198 Year-2018 Thana- KHARIK District- Bhagalpur

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Raj Kumar Pandit Son of Mahesh Pandit @ Maheswar Pandit Resident of
Village - Dadpur, P.S.- Kharik, Dist.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Yadav

For the Opposite Party/s : Mr.Jai Narain Thakur

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 15-10-2019 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Kharik P.S. Case No. 198 of 2018, registered under
Sections 413 and 414 of the Indian Penal Code, pending in the
court of A.C.J.M.-I, Naugachia, Bhagalpur.

The accusation is that in course of patrolling duty,
informant along with other police personnel searched the house
of Maheshwar Pandit in village Dadpur, where five motorcycles
were recovered. On demand, Maheshwar Pandit did not produce
any payer regarding the aforesaid motorcycles. Thereafter,
police party searched the house of Lakhan Mandal, from where,
four motorcycles were also recovered and on demand, Lakhan



Mandal also did not produce any paper of motorcycles. On query, Maheshwar Pandit disclosed that his son, Raj Kumar Pandit (petitioner), Lakhan Mandal and Mithesh Pandit used to commit theft of motorcycle and sale the same in the locality.

Learned counsel for the petitioner submits, in fact, petitioner is the son of co-accused, Maheshwar Pandit, from whose house, five motorcycles were recovered due to that reason, petitioner has falsely been implicated in the present case. The petitioner has no criminal antecedent.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, his prayer for grant of anticipatory bail stands rejected. The petitioner is directed to surrender before the trial court within four weeks and pray for regular bail, which would be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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