

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72716 of 2019

Arising Out of PS. Case No.-64 Year-2018 Thana- BHEJA District- Madhubani

MD. SHAMSHAD ALAM Son of Akhtar, Resident of Village- Ganeshpur,
P.S.- Marauna, District- Supaul.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Baleshwar Kamat, Advocate

For the Opposite Party/s : Mr.Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 18-12-2019 Heard learned counsel for the petitioner and learned
APP for State.

The petitioner in this case is seeking anticipatory bail in connection with Bheja P.S. Case No. 64 of 2018 registered for the offences punishable under Sections 457, 380 and 411 of the Indian Penal Code.

Learned counsel for the petitioner submits that the father of the petitioner is owner of the seized Pick-Up van and the petitioner has been alleged to be the driver of the seized vehicle whereas neither the petitioner has any driving licence from the concerned office nor he knows to drive the vehicle. It is further submitted that the owner of the vehicle has been granted privilege of anticipatory bail by this Court and there is no material against this petitioner in the case diary. Petitioner has falsely been implicated in the present case.

Learned APP for the State is present and has opposed



the prayer for anticipatory bail of the petitioner.

Considering the facts and circumstances of the case wherein the Pick-Up van carrying the stolen animals was seized and this petitioner is said to be the driver of the said vehicle and also happened to be the son of the owner of the vehicle, this Court is not inclined to grant privilege of anticipatory bail to the petitioner.

Learned counsel for the petitioner has contended that the owner of the vehicle has been granted privilege of anticipatory bail by this Court and there is no material against this petitioner in the case diary. If it is so, in case the petitioner surrenders and prays for regular bail within a period of four weeks from today in the court below, the court below shall consider the submission of the petitioner on the basis of material which will be available in the case diary and independent view of the same will be taken on the basis of the materials on the record without being prejudiced by the order of this Court.

The application stands disposed off accordingly.

(Rajeev Ranjan Prasad, J)

vats/ved

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