

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.70557 of 2018

Arising Out of PS. Case No.-423 Year-2017 Thana- SUGAULI District- East Champaran

Manish Kumar @ Manish Yadav, S/o Ram Naresh Yadav @ Naresh Prasad Yadav, Resident of Professor Colony R.L.S. College Bettiah, P.S. Muffasil, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar, Advocate.

For the Opposite Party/s : Mr.Sri Arun Kumar Singh -5, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 29-01-2019 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Sugauli P.S. Case No. 423 of 2017 registered under Sections 414, 420, 467, 468, 469 and 471 of the Indian Penal Code, pending in the court of Chief Judicial Magistrate, East Champaran at Motihari.

The accusation is that on receiving secrete information about keeping the theft vehicle by Md. Israil of Village- Belwatiya, P.S.-Sugauli, District-East Champaran, the informant along with other police official reached there and saw Bokero vehicle bearing registration no. BR- 43H-6665. On query, Md. Israil disclosed that he had purchased the said vehicle to Manish Yadav (petitioner) on introduction of Arvind Yadav and Rukman Mian but paper of the vehicle was not produced.

Learned counsel for the petitioner submits that, in fact,



petitioner had purchased alleged vehicle to Ram Niwas Dubey, Resident of Village Pankha Toli, P.S. Kajimohammadpur, District Muzaffarpur and paid Rs.4,50,000/- and thereafter, he sold the said vehicle to co-accused, Md. Israil but unfortunately, at the time of purchasing of Vehicle petitioner could not obtain the ownership paper from Ram Niwas Dubey to get the name transfer in the Registration Office. As such, petitioner was the bona fide purchaser of the alleged Bolero vehicle, which is sold to Md. Israil.

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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