

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10298 of 2020

Arising Out of PS. Case No.-264 Year-2019 Thana- BAUSI District- Purnia

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Anand Kumar Sah @ Amit Kr. Sah, Aged about 29 years Male, Son of
Bhola Sah , Resident of Village Barkona, P.S. Mirganj, District - Purnea.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh

For the Opposite Party/s : Mrs. Renuka Ratnakar

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 16-06-2020 Heard Mr. Ajit Kumar Singh, learned counsel for the

petitioner and Mrs. Renuka Ratnakar, learned Additional Public
Prosecutor appearing for the State through video conferencing.

The petitioner apprehends his arrest in connection
with Baisi P.S. Case No. 264 of 2019 registered for the offence
punishable under Section 379 of the I.P.C.

The allegation against the petitioner is that the
informant, being the owner of the vehicle bearing Registration
No. WB42AS-5653 handed over the same to one Biron @ Suraj
Khan for plying on rent. It has further been alleged that one
Naraj Sheikh had hired that vehicle on rent and reached at
Ashiana Hotel where Naraj Sheikh stayed for some time. It has
also been alleged that the driver of the vehicle slept for a while,
in the meanwhile, the said Naraj Sheikh stole away the vehicle



in question , however, he was apprehended by the informant on 18.11.2019 at Maldah and upon query he replied that the said vehicle has been given in favour of the petitioner and co-accused Umesh Sah for sale.

Learned counsel for the petitioner submits that from perusal of the First Information Report it would be evident that the petitioner has not committed any offence under Section 379 of the I.P.C. Learned counsel submits that the name of petitioner has transpired on the basis of disclosure of sale made by the co-accused Naraj Sheikh, who had allegedly stolen the vehicle of the informant. Learned counsel referring to the impugned order submits that the Police recovered the stolen vehicle from the village- Rangpura near Libri Bridge within Mirganj P.S., Purnea and not from the possession of the petitioner. Learned counsel also submits that petitioner has got no criminal antecedent.

Having regard to the submissions made by the parties and taking into consideration the fact that the vehicle in question was not recovered from the possession of the petitioner and the petitioner has got no criminal antecedent, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, in the event of arrest or surrender before



the court below within six weeks from today, petitioner, above named, shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea in connection with Baisi P.S. Case No. 264 of 2019, subject to the condition as laid down under Section 438 (2) of the Code Of Criminal Procedure.

It is made clear that at the time of furnishing bail bond all the parties shall follow the guidelines regarding lockdown and social distancing.

(Anil Kumar Sinha, J)

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