

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15401 of 2020

Arising Out of PS. Case No.-23 Year-2020 Thana- RAFIGANJ District- Aurangabad

HARERAM DAS @ RAJA @ RAJESH KUMAR, aged about 23 years,
(Male), Son of Late Mohan Das, Resident of Village-Chalitar, P.S.- Alamganj,
Distt.- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Ajay Kumar Thakur, Mrs.Babita Kumari and
Arya Achint, Advocates.

For the Opposite Party : Mr. C. Jawahar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 03-03-2020 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case for the offence
registered under Sections 413, 414 and 420/34 of the IPC.

The prosecution story, in brief, is that on 15.01.2020
on information, the informant apprehended three persons,
namely, Hareram Das @ Raja @ Rajesh Kumar (petitioner),
Mukesh Kumar @ Buletan and Javed Akhtar. The petitioner
disclosed that Mukesh @ Buletan and Javed called him for
purchase of Scorpio vehicle of Rs. 1,30,000/- and one
Motorcycle for Rs. 20,000/- and his friend Suresh has also come
from Patna. He also stated that earlier also he had purchased one
Swift Dezire from the aforesaid three persons which was sold to



one *Kabar*. Mukesh Kumar @ Buletan stated that Javed used to give the vehicle for sale to the customer. He also stated that Javed given one Motorcycle for sale. Bullet stated that Motorcycle bearing No. BR1DK-8380 was of stolen Motorcycle which was given by Javed which was at his house. Javed Akhtar further stated Amit Kumar of Ranchi used to purchase of stolen vehicle and Yamaha Motorcycle was also given to Mukesh Kumar by him. Both vehicles are stolen property. On the disclosure made by Mukesh Kumar, one Motorcycle was recovered from his house.

It has been submitted by learned counsel for the petitioner that the petitioner is languishing in custody since 17.01.2020. The petitioner has got no criminal antecedent. He has falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner had no knowledge that the vehicle in question are stolen property. He has been made accused in the present case due to mistake of fact. The case is triable by the Magistrate.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let



the petitioner above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Aurangabad, in connection with Rafiganj P.S. Case No. 23 of 2020.

(Sudhir Singh, J)

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