

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74335 of 2019

Arising Out of PS. Case No.-288 Year-2019 Thana- PARBATTa District- Khagaria

AMIT KUMAR, Son of Late Kedar Singh Resident of Village - Karna, P.S. -
Parbatta, District - Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Singh

For the Opposite Party/s : Mr.Ram Sumiran Rai

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

ORAL ORDER

2 06-02-2020 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Parbatta P.S. Case no. 288 of 2019, registered under
Section 414 and 420 of the Indian Penal Code.

The accusation is that on receiving secret
information about keeping of theft motorcycle by Rupesh
Kumar in village-Karna, the informant along with other Police
personnel reached there. On seeing the Police, he tried to flee
away, but, anyhow, he has been apprehended by the Police,
who has disclosed his name Rupesh Kumar @ Vivek Kumar.
Thereafter, one theft Honda Sine motorcycle was recovered.
The arrested person confessed that the said motorcycle is theft
motorcycle, which has been stolen by Amresh Kumar and



Gaurav Kumar and this motorcycle was to be sold by him and Banti Kumar. Thereafter, Banti Kumar was apprehended and on his disclosure, the house of Gaurav Kumar was searched, but he was not at his house, while one black colour Hero Honda Passion Plus motorcycle recovered. Thereafter, Police reached at the house of Amresh Kumar, but he was also found absent, while one black colour motorcycle recovered from there. Thereafter, house of Milan Kumar was raided from where one red black colour Hero Glamour motorcycle without registration number recovered, but Milan Kumar was found absent at his house. Thereafter, Police raided the house of Mithun Kumar, where Mithun Kumar was apprehended and a black colour motorcycle recovered from his house. The said Mithun Kumar confessed his guilt and stated that the said motorcycle was purchased from Rupesh Kumar. Thereafter, informant and other Police personnel reached at Patrol pump on their disclosure, but no theft motorcycle was found there, while on inquiry, the employee of patrol pump disclosed that Amit Kumar (Petitioner), who is doing work at patrol pump, had gone to Bhagalpur. On taking mobile number of the petitioner, the Police talked to him then he disclosed that one theft motorcycle was brought by Amresh Kumar and Banti Kumar, which was kept in garage of the patrol pump, but later



on the said motorcycle was taken by Amresh Kumar.

Learned counsel for the petitioner submits that it would appear from the F.I.R. that nothing has been recovered from the possession of the petitioner. Further submission is that it has come in the F.I.R. that the petitioner being the employee of patrol pump disclosed that one motorcycle was brought by Amresh Kumar and Banti Kumar, which was removed by them later on.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. Chief Judicial Magistrate-I, Khagaria in connection with Parbatta P.S. Case No. 288 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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