

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.87462 of 2019**

Arising Out of PS. Case No.-194 Year-2013 Thana- SAMASTIPUR District- Samastipur

Kalam Mistri @ Md. Kalam, S/o Late Suleman R/o village- Malinagar, P.S.-  
Chakmehsi, District- Samastipur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Vinay Kumar Mishra  
For the Opposite Party/s : Mr. Pancha Nand Pandit

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR  
SRIVASTAVA**

ORAL ORDER

2      20-02-2020                      Heard learned counsel appearing for the petitioner as well as learned Additional Public Prosecutor for the State.

2. Petitioner apprehends his arrest in connection with Samastipur (Town) P. S. Case No.194 of 2013 registered for the offences punishable under Sections 379, 511 of the I.P.C.

3. One Rajan Kumar @ Chhotu was caught on the spot while he was making attempt to steal the motorcycle of the informant and subsequently, he was handed over to the police.

4. However, in course of investigation, the aforesaid apprehended accused disclosed the name of petitioner and one co-accused Raushan Kumar. Police raided the garage of the petitioner and recovered parts of motorcycles and other articles.

5. Submission on behalf of the petitioner is that



petitioner is a mechanic and the seized parts of the motorcycles are not the stolen property, because no case under Section 411 of the I.P.C. has been inserted in the present case and moreover, the petitioner does not have any criminal antecedent.

6. Considering the aforesaid facts and circumstances of the case as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioner, in the event of his arrest/ surrender within six weeks from the date of receipt of this order to the Court concerned, shall 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 learned Chief Judicial Magistrate, Samastipur in connection with Samastipur (Town) P. S. Case No.194 of 2013, subject to conditions as laid down under Section 438(2) of the Cr.P.C.

**(Hemant Kumar Srivastava, J)**

vikash

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

