

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35295 of 2020

Arising Out of PS. Case No.-117 Year-2020 Thana- MAHUA District- Vaishali

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KUNAL KUMAR S/O Awadhesh Singh R/O Chitrakut Nagar, Road No. 9A/4, P.S. - Danapur, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Binod Murari Mishra

For the Opposite Party/s : Mr.A.G.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-03-2021 Heard learned counsel for the petitioner and the State through virtual mode.

Learned counsel for the petitioner is directed to remove the defect(s), as pointed out by the office, within a period of four weeks.

The petitioner is apprehending his arrest in a case registered under Sections 406 & 420 of the Indian Penal Code.

Allegedly, co-accused Manoj Kumar had purchased a vehicle by taking loan from Sri Ram Transport Finance Company. While the vehicle was under hypothecation, he sold the vehicle to the petitioner.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has been made accused in the present case due to mistake of fact. The vehicle in question was purchased by co-accused Manoj Kumar,



which was financed by Sri Ram Transport Finance Company. The petitioner had no knowledge that the vehicle in question is under hypothecation. It has further been submitted that the vehicle in question has already been seized and taken into custody by the Finance Company. The matter relates to sale and purchase of the vehicle in question.

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

Considering the aforesaid facts and circumstances of the case, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Mahua P.S. Case No. 117 of 2020 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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