

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8965 of 2022

Arising Out of PS. Case No.-418 Year-2021 Thana- BETTIAH CITY District- West
Champaran

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Md. Aslam Son of Md. Gayasuddin Resident of Village - Ujjain Tola, Sagar
Pokhra, Ward No.4, P.s.- Bettiah (Town), Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Shrivastava, Advocate
For the Opposite Party/s : Mr. Jharkhandi Upadhyay, A.P.P

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 13-07-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks from today.

The petitioner seeks bail in connection with a case
registered for the offence punishable under Sections 414, 420,
467, 468, 471 and 34 of the Indian Penal Code.

The prosecution case, in short, is that in the month of
February, 2019, the informant purchased the Scorpio S3 bearing
its Registration No. MA1TA2TDKJ2C28956 and Engine No.
TDJ4CT75267 from one Shyam Prasad. After that, the said
vehicle was transferred in his favour and he used the said
vehicle. It is further stated that in the month of March, 2020, he



went to prepare pollution paper and he found online checking the said vehicle has already been transferred in the name of Md. Aslam (Petitioner), son of Gayasuddin, resident of Ujjain Tola A/34, West Champaran, Bettiah. It is further alleged that he attempted to search the said fact to the District Transport Officer, Patna and after that the D.T.O., Patna noticed the informant as well as the petitioner to present in the said office and the informant himself present in the D.T.O. office in the light of the said notice but the petitioner did not reach. It is further alleged that the Cholamandalam Investment and Finance Company Ltd. financed the said vehicle.

Learned counsel for the petitioner submits that the petitioner is bonafide purchaser of the alleged vehicle through the agent Bijay Kumar and due to this reason in the certificate of registration was issued in the name of petitioner of the said vehicle. Further, it is submitted that on serial no. 3, in the owner book, the Registration No. BR-01PJ-3118, Engine No. TDJ4C75267 has already been mentioned. It is submitted that nothing has been done by the petitioner knowingly and deliberately as he has purchased the said vehicle through the agent Bijay Kumar and Manish Kumar and got his vehicle registered in his name. District Transport Officer has also issued



the Registration Number. It is also submitted that the petitioner is also the victim of the said purchased. It is submitted that the petitioner has purchased the said vehicle worth Rs. 8,90,000/-. The loan amount taken from Cholamandalam finance of Rs. 5,80,000/-. Learned counsel for the petitioner submits that petitioner is in custody since 23.10.2021, is a person with clean antecedent and charge-sheet has been submitted in the case.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the facts and circumstances of this case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) only with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/Successor Court in connection with Bettiah (Town) P.S. Case No. 418 of 2021.

(Khatim Reza, J)

Gaurav Kumar/-

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