

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36025 of 2022

Arising Out of PS. Case No.-551 Year-2021 Thana- MANER District- Patna

SONELAL RAI SON OF LALBABU RAI RESIDENT OF PACHHAMI
NAKTA DIARA, DIGHA GHAT, P.S.- DIGHA, DISTRICT- PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Md. Shakir Ahmad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 29-11-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect(s), if any, be removed within a period
of four weeks.

The petitioner apprehends his arrest in a case
registered for the offence punishable under Section 392 of the
Indian Penal Code.

Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent.

The informant alleges that the motorcycle of the
petitioner was used in commission of crime of snatching mobile,
passbook and cheque book etc.

Learned counsel for the petitioner submits that FIR is
against unknown and the FIR does not disclose the registration
number of the vehicle which was used in committing the



occurrence, as such, it is submitted that it absolutely does not stand to reason that on what basis the police apprehended the motorcycle of which petitioner is the owner. It is further submitted that the motorcycle was seized by the police for which the petitioner had also filed Misc. Case No. 23 of 2021 in the Court of learned Additional Chief Judicial Magistrate-I, Danapur for getting the vehicle released but the police in a mechanical manner sent a report that the said motorcycle was used in the present occurrence including another motorcycle. Learned counsel thus submits that when the FIR itself discloses that the occurrence was committed by motorcycle borne criminal who came on one motorcycle then how come the police sent a report that the two motorcycles were used for committing the present occurrence that also creates doubt with regard to the veracity of the allegation as alleged.

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

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/-



(Rupees Ten Thousand) 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 Maner P.S. Case No. 551 of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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