

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8921 of 2023

Arising Out of PS. Case No.-261 Year-2021 Thana- CHAKIA District- East Champaran

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PRADEEP KUMAR Son of Ram Ekbal Sah @ Ramakbal Sah Resident of
Village - Badiban, Madhuban, P.S.- Pipra, District - East Champaran,
Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Adv.

For the Opposite Party/s : Mr. Aditya Narayan Singh.1, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 18-05-2023 Heard Mr. Sharda Nand Mishra, learned counsel for

the petitioner and Mr. Aditya Narayan Singh, learned Additional

Public Prosecutor for the State.

2. Petitioner apprehends his arrest in connection with

Chakia PS Case No. 261/2021 dated 06.09.2021 registered for

the offence punishable under Sections 379 and 414/34 of the

IPC.

3. As per First Informant Report, Ahuja-1000

machine, Exchanger Machine-701 were found stolen from the

Tent House Shop of the informant. It has further been alleged

that during course of search, the informant came to know from

Md. Arif that one Ajay @ Anda has stolen the machines from

the shop of the informant. The name of the petitioner has come

during course of investigation and the stolen articles were



recovered from his possession.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case merely on the basis of the fact that the stolen articles have been recovered from the possession of the petitioner. He next submits that the petitioner is a *bona fide* purchaser of the machines in question from one Bikki Sah and at the time of purchase, he was not aware of the fact that the machines were the stolen articles. He further submits that Ajay @ Anda has accepted that he has committed theft in the shop of the informant but admittedly, the petitioner had not purchased the machines from Ajay @ Anda.

5. Regards being had to the submissions made by the parties, taking into consideration the fact that the petitioner has got no criminal antecedent and claims to be a *bona fide* purchaser of the machines, I am inclined to grant anticipatory bail to the petitioner.

6. Accordingly, let the petitioner, named above, in the event of arrest or surrender within four weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Champaran, Motihari in connection with Chakia PS Case No.



261/2021, subject to the condition as laid down under Section
438(2) CrPC.

(Anil Kumar Sinha, J)

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