

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9285 of 2024

Arising Out of PS. Case No.-38 Year-2023 Thana- DARIHAT District- Rohtas

Pappu Kumar son of Baban Singh village- Bisaini kala, p.s.- rajpur, district-
Rohtas(sasaram)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Saroj Kumar, Advocate.

For the Opposite Party/s : Mr.Madhuri Lata, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 20-02-2024 Heard Mr. Saroj Kumar, learned counsel appearing on
behalf of the petitioner and Mr. Madhuri Lata, learned APP for
the State.

2. The petitioner seeks pre-arrest bail in connection
with Darihat P.S. Case No. 38 of 2023 registered for the offence
punishable under Section 414/34 of the Indian Penal Code.

3. As per the allegation made in the F.I.R., co-accused
was arrested on the spot by the police in course of vehicle
checking who disclosed the name of the petitioner.

4. Learned counsel appearing on behalf of the
petitioner submitted that the petitioner has been made accused
on the basis of confessional statement of co-accused
Dharmendra Kumar who had alleged that the petitioner had
introduced the person who had negotiated in sell and purchase
of the unnumbered motorcycle bearing Engine No.



HA10EUFHG61535, Chassis No. MBLH10BSFHG80351 which was later on found to be stolen one. Learned counsel further submits that the allegation cannot be sustained. The petitioner is neither owner of the motorcycle nor he was involved in any manner in negotiating with the co-accused Dharmendra Singh who had allegedly purchased the stolen motorcycle from the person who was possessing the said motorcycle. There is no recovery of any stolen motorcycle from the possession of the petitioner.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the aforesaid facts, the District Court is directed to call report from the District Transport Officer concerned on the basis of the registration number, Engine Number and Chassis number of the motorcycle within four weeks and if it is found that the motorcycle is not registered in the name of the petitioner and the petitioner in any manner is not concerned with the theft of the motorcycle, the petitioner is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the



satisfaction of learned District and Sessions Judge, Rohtas at Sasaram in connection with Darihat P.S. Case No. 38 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

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