

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13634 of 2024

Arising Out of PS. Case No.-194 Year-2021 Thana- BODHGAYA District- Gaya

Shayan Kalim @ Aamir @ Sheyan Kalim @ Amir Son of Md. Kalimuddin
Resident of Mohalla - Nagmatia Colony road No. 4, Post- GPO, P.S. Civil
Lines Gaya, District - Gaya (Bihar) PIN -823001. Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umakant Mishra, Advocate

For the Opposite Party/s : Mr.Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 12-03-2024 Heard the parties.

2. The petitioner is apprehending arrest in connection with Bodhgaya (Cherki) P.S. Case No. 194 of 2021 instituted under Section 395 of the Indian Penal Code lodged on 18.6.2021 by the informant, Ratan Kumar Singh.

3. As per the prosecution story, the informant alleged that the security guard of the store informed that store has been looted. Later, it came to notice that the unknown persons entered the store, took away the entire materials in the truck. They also snatched the keys of two motorcycles parked there. The Security Guards were tied with ropes before the loot took place. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that he used to purchase the items from Suraj Kumar, the accused who was subsequently arrested and had confessed about the role of this petitioner. The submission is that he never realized that the



materials that are being purchased by him is/are stolen and/are part of the loot.

5. Learned APP on the other hand has pointed out that the petitioner has number of criminal antecedents and pointed out about one particular FIR vide RPF Post Gaya Case No. 08/2023 under section 3 of Railway Property (unlawful possession) Act 1966 amended 2012 Act.

6. A dacoity took place, the Guards were tied in rope, the entire materials were taken in the Truck, FIR lodged, investigation took place and the main culprit Suraj Kumar took the name of the petitioner who acknowledges that he used to purchase the items from him on concession rate.

7. In that background, it would be appropriate that he seek bail.

8. The Cr. Misc. No. 13634 of 2024 stands rejected.

(Rajiv Roy, J)

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