

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14270 of 2024

Arising Out of PS. Case No.-112 Year-2022 Thana- KALYANPUR District- Samastipur

Rajendra Ray S/o Ram Sagar Ray Resident of Village- Chhatauna, P.S.
Muffasil, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Thakur, Advocate

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 12-03-2024 Heard Mr. Mukesh Kumar Thakur, learned counsel
appearing on behalf of the petitioner and Mr. Brajendra Nath
Pandey, learned APP appearing on behalf of the State.

2. The petitioner apprehends his arrest in connection
with Kalyanpur P.S. Case No. 112 of 2022 registered under
Sections 379 and 34 of the Indian Penal Code.

3. As per the allegation made in the FIR, the petitioner
has stolen 3600 meter electric wire worth Rs.5,22,000/-. The
informant is the contractor.

4. Learned counsel appearing on behalf of the
petitioner submits that petitioner is the owner of the Bolero
vehicle bearing Reg. No. BR07 P 4590 and he has no concern
with the Bolero Pickup bearing Reg. No. BR06 GD 8135 and
has pleaded his innocence. The petitioner has clean antecedent.

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

6. Considering the nature of allegation made in the FIR, as well as, the allegation that in carrying the stolen electric vehicle, the Bolero Pickup, as well as, the Bolero vehicle were used by the petitioner and accused person, the District Court is directed to call report from the District Transport Officer concerned, on the basis of the Registration Number of the Bolero vehicle and the Bolero Pickup, within four weeks and if it is found that the Bolero vehicle is registered in the name of the petitioner and the said vehicles were not found at the place of occurrence, 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 Chief Judicial Magistrate, Samastipur in connection with Kalyanpur P.S. Case No. 112 of 2022, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J.)

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