

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34659 of 2024

Arising Out of PS. Case No.-490 Year-2023 Thana- BHORE District- Gopalganj

Sharddha Singh @ Sharddha Bhagat SON OF FAUDAR BHAGAT
RESIDENT OF VILLAGE - HUSSEPUR, NAVKA TOLA, P.S.- BHORE,
DIST- GOPALGANJ

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan, Advocate

For the Opposite Party/s : Ms. Anita Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 31-07-2024 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Bhore P.S. Case No. 490 of 2023 for the offence registered under sections 414, 420, 467, 468, 471 and 34 of the Indian Penal Code lodged on 27.09.2023 by the informant, Pappu Kumar.

3. As per the prosecution story, the informant alleged that upon information that during vehicle checking, it was informed that stolen vehicle is parked in the house of the petitioner. Upon reaching there, the petitioner escaped but was identified by the *chawkidar*, the Bolero recovered/seized having no Engine Number and Chasis Number which was scratched. Accordingly, the F.I.R.



4. Learned Counsel for the petitioner submits that the vehicle is genuine, was purchased by him through transfer but the actual transfer in the registration office was not done. The further submission is that he do not have criminal antecedent.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that the vehicle has been recovered from his house.

6. Taking into account the fact that the vehicle has been recovered from the house not from his conscious possession, it is his categorical submission that the vehicle has come to his family through transfer by the original owner, do not have criminal antecedent, this Court is inclined to extend him privilege of anticipatory bail.

7. However, if it is found that contrary to the statement made in paragraph-3 actually he has criminal antecedent, the order shall become infructuous.

8. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Gopalganj in connection with Bhore P.S. Case No. 490 of 2023 subject to



condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioner, who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

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