

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31440 of 2024

Arising Out of PS. Case No.-21 Year-2024 Thana- BIDUPUR District- Vaishali

Sanjeet Kumar @ Sanjeev Kumar @ Sanjeev Kr. Sharma S/O Late Rambalak
Sharma R/O vill.- Daudnagar, P.S. Bidupur, Dist.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravish Mishra

For the Opposite Party/s : Mr. Ganesh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 02-08-2024 1. Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail,
arises out of Bidupur Police Station Case No. 21 of 2024,
disclosing offences under Sections 414, 420, 467, 468, 34 of the
Indian Penal Code.

3. As per the prosecution case, lodged by S.H.O of
Bidupur police station, is that on 08.01.2024, the S.H.O of
Nemdarganj and Akbarpur police station came to the informant
and told him that the secret information has been received that
several stolen trucks, as mentioned in the FIR, relating to
Nemdarganj Police Station Case No. 02 of 2024, 03 of 2024, 04
of 2024 and 08 of 2024, have been brought in the truck garage
of the accused persons and the stolen trucks are being sold by



changing the registration numbers. Upon this information, the police party and owners of the stolen trucks reached the garage of different persons including the garage of the petitioner, namely Sanjeet Builder Mistri and one stolen truck was identified by the truck owner. The petitioner succeeded in fleeing away. All the stolen trucks were seized and three seizure lists were prepared.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case by the police due to oblique motive which would be evident from the fact that the informant got the information about the stolen truck on 08.0.12024 and on the same date the police proceeded towards various truck garages for recovery of the stolen trucks but the seizure list shows that it was prepared on 11.01.2024. The seizure list was not prepared then and there on 08.01.2024, as such, the procedure prescribed under Section 100 Cr.P.C., has not been adhered by the police party. Learned counsel further submits that the seizure lists discloses that the truck was not recovered from inside the garage of the petitioner but in front of the garage near Jagdamba temple.

5. Regards being had to the submissions made by the parties and taking into consideration the fact that various stolen



trucks were seized by the police including the truck, in question, from the garage of the petitioner and the fact that the stolen trucks were being resold by changing registration numbers in the garage in a systematic manner, I am not inclined to grant anticipatory bail to the petitioner.

6. This application is, accordingly, rejected.

7. However if the petitioner surrenders and seeks regular bail, the same may be considered on its own merit by the learned District Court without being prejudiced that anticipatory bail of the petitioner has been rejected.

(Anil Kumar Sinha, J)

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