

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39629 of 2024

Arising Out of PS. Case No.-472 Year-2023 Thana- KOILWAR District- Bhojpur

Amresh Thakur Son of Sita saran Thakur Resident of Village- Belauna, P.S- Basopatti, Dist- Madhubani At Present Residing at Mohalla- Mahatma Gandhi Nagar(Tenant of Vijay Tiwari) ,P.S- Buxar Town, Dist- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rudrank Shivam Singh, Advocate
For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 26-06-2024 Heard Mr. Rudrank Shivam Singh, learned Counsel

for the petitioner and Mr. Bharat Bhushan, learned APP for the

State.

2. The petitioner apprehends his arrest in connection
with Koilwar P.S. Case No. 472 of 2023 for the offence
registered under section 379 of the Indian Penal Code lodged on
05.08.2023 by the informant, Anjani Kumar Shrivastava.

3. As per the prosecution story, the informant alleged
that he owns a tractor and on 04.08.2023, it was loaded with
Super Shakti brand Iron to be transported to Maa Bhawani
Traders at Arrah. However, a person took lift on the tractor as
informed by the driver and on the next morning, at 05:40 P.M.,
the tractor went missing. Accordingly, the F.I.R.



4. Learned Counsel for the petitioner submits that on 05.08.2023 itself, the Buxar Police intercepted the tractor and this petitioner alongwith Raghwendra Singh were arrested, F.I.R. lodged by the local police after having got information from the Koilwar Police about the lodging of the F.I.R. regarding theft of the tractor.

5. Further submission of learned Counsel for the petitioner is that the petitioner and the informant were on business terms and in the same business, certain amount was taken by the informant, only due to dispute about the same, he found himself implicated in this case.

6. It is his submission that now he is on bail in the case lodged by the Buxar Police vide Buxar (I) P.S. Case No. 212 of 2023.

7. Learned APP for the State, on the other hand, submits that a tractor was stolen and the petitioner along with one other person were nabbed by the Buxar Police along with the tractor which followed the second F.I.R. as such, he cannot exonerate himself from the charges.

8. Taking into account the aforesaid facts in the opinion of the Court, it would be appropriate that the petitioner seeks bail.



9. The anticipatory bail application stands rejected.

10. However, if the petitioner surrenders within a period of four weeks from today, the Court concerned shall take up the matter and dispose of on the same day.

11. Before parting, this Court would like to put on record its word of appreciation for Mr. Rudrank Shivam Singh, learned counsel for the petitioner for proper assistance rendered in the matter.

(Rajiv Roy, J)

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