

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64058 of 2024

Arising Out of PS. Case No.-2 Year-2024 Thana- SIKRAUL District- Buxar

Shivam kumar Son of Devendra Kumar Mohalla- Makan No-185, Chini Mill
Ps- Buxar Town Dist- Buxar

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar Gupta

For the Opposite Party/s : Mr.Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 05-10-2024 1. Heard the parties.

2. The petitioner apprehends his arrest in connection with Sikraul P.S. Case No. 2 of 2024 dated 02.01.2024 registered under Sections 414 / 34 of the I.P.C.

3. As per the First Information Report the Police got secret information that Dharmendra paswan is keeping one stolen motorcycle in his house, upon which, the Police searched the house of the co-accused / Dharmendra Paswan and recovered the stolen motorcycle. Upon query made by the Police, Dharmendra Paswan disclosed that he was given the mobile no. 6353647126 by one Roshan Kumar who told him that the owner of the mobile no. deals in the stolen motorcycle at cheap price. Subsequently, he purchased the stolen motorcycle from Roshan Kumar with assurance that he would get the documents



of motorcycle prepared.

4. Learned counsel for the petitioner submits that petitioner is not named in the FIR. His name has come on the basis of disclosure made by the co-accused / Dharmendra Paswan from whose possession the stolen motorcycle was recovered. Dharmendra Paswan initially disclosed the name of Roushan Kumar and in the FIR it has been stated that he purchased the stolen motorcycle for Rs. 25,000/- from Roshan Kumar. The name of the petitioner has only been dragged in this case on the basis of the fact that the mobile no. disclosed by Dharmendra Paswan to the Police is in the name of the petitioner. The petitioner is a student and has passed B.A. from Veer Kunwar Singh University and has also completed Advance Diploma in Computer Application and at present preparing for competitive examination.

5. Regard being had to the submission made by the parties, taking into consideration the fact that stolen motorcycle was recovered from Dharmendra Paswan, who purchased the same from Roshan Kumar and the name of the petitioner has only come on the basis of his mobile no. as disclosed by co-accused Dharmendra Paswan, as such, I am inclined to grant anticipatory bail to the petitioner.



6. Let the petitioner, above named, be released on anticipatory bail in the event of 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 Chief Judicial Magistrate, Buxar in connection with Sikraul P.S. Case No. 2 of 2024 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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