

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86341 of 2023

Arising Out of PS. Case No.-251 Year-2020 Thana- RAGHOPUR District- Supaul

Shankar Mehta @ Shankar Kumar, Son of Laxman Mehta, Resident of
Village - Nonpar, Besa, Ward No. 12, Police Station - Bhaptiyahi, Supaul.
... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Arun, Advocate

For the Opposite Party/s : Mr. Pradeep Narain Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 24-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner in the present case is seeking pre-arrest bail in connection with Raghopur P.S. Case No. 251 of 2020 registered for the offences punishable under Sections 413, 411/34 of the Indian Penal Code. He has got one criminal antecedent in which he is said to be on bail.

3. As per the prosecution story, the informant apprehended one Shamsher with a stolen motorcycle and he disclosed the name of the petitioner and two others and further he disclosed that Md. Tamana and Sushil Kumar had given him to keep the motorcycle and one Mahindra stolen car which he sold to the petitioner. It is further alleged that the informant recovered stolen car at the door of the cousin brother of the petitioner and on interrogation, the cousin brother of the

petitioner told that the said vehicle was being used by this petitioner and had been kept in his house.

4. Learned counsel for the petitioner submits that the co-accused who was apprehended by police has made a statement that he had sold the stolen car to this petitioner but the fact remains that the car has been recovered from the house of his cousin brother.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner. Learned APP for the State submits that in fact when the car was seized from the house of the cousin brother of the petitioner, the cousin brother has made a statement that it was being used by this petitioner and had been kept in his house.

6. Having regard to the facts and circumstances of the case, the nature of disputes and the case being under investigation, at this stage, this Court directs that in case of his arrest or surrender within a period of four weeks from today, the petitioner above named be released on bail in connection with Raghapur P.S. Case No. 251 of 2020 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Birpur, Supaul subject to the conditions as laid down under

Section 438(2) of the Cr.P.C.

7. And further condition that the petitioner shall appear before the Investigating Officer of the case within two weeks from today and cooperates with the investigation.

8. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

9. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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