

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15933 of 2025

Arising Out of PS. Case No.-240 Year-2018 Thana- GANDHIMAIDAN District- Patna

Subhash Rai @ Subash Rai Son of Shivnath Ray Resident of Village-
Mirzapur, P.S.- Mirzapur, Distt.- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Bandana Kumari, Advocate

For the Opposite Party/s : Mr .Md. Fahimuddin, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

3 14-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody in a case registered for
the offences punishable under Sections 467, 468, 471, 472, 419,
420, 120B and 34 of the IPC.

3. That the case is based on the written information of
the informant, namely, Shanta Shahi submitted before the
Gandhi Maidan P.S. in which the informant has stated that her
husband died on 19/07/2017 and was having a Scorpio vehicle
bearing reg. No.- BR-01-PB4906. It is further alleged that the
insurance of the said vehicle was up to 31.03.2018. It is further
stated that on 11.06.2018 when the informant went for further
insurance of the said vehicle then she came to know that the



smart card of the vehicle has been transferred in the name of Subhash Rai (petitioner) on 30.05.2018 and when the informant inquired then DTO, Patna told that the same was done by the employee of his office and also said that the same will be cancelled. Thereafter the above said transfer was cancelled by the DTO, Patna and an information letter was sent by the DTO, Patna to the informant. It is further submitted that the smartcard was transferred in the name of the petitioner in active connivance with the staff of the DTO office, Advocate and the petitioner.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. He next submits that documents regarding the proposed transfer was remained with the late. husband of the informant and the vehicle in question also remained with the informant's husband. He further submits that petitioner joined the job with the brother of the informant's husband and due to which the petitioner has falsely implicated because there was previous enmity between the informant's husband and his brother. He further submits that petitioner was the employee of the husband of the informant and during his lifetime, the husband of the informant has initiated the process of transfer of the alleged Scorpio vehicle in favour



of the petitioner for which he also took the signature of the petitioner on certain related documents but due to some reasons the petitioner left the job from the husband of the informant. He further submits that petitioner has no concern with the alleged vehicle even the vehicle in question is still remain in the possession of the informant. He next submits that petitioner is in custody since 26.11.2024 and has two criminal antecedent.

5. However, learned APP for the State vehemently opposes the prayer for bail of the petitioner.

6. Considering all facts and circumstances of the case and submission of learned counsel for the petitioner, let the above named petitioner be released on bail, on his furnishing bail bonds of Rs.10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Patna in connection with Gandhi Maidan P.S. Case No.240 of 2018.

(Ramesh Chand Malviya, J)

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