

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40545 of 2013

- =====
1. Pappu Rai Son Of Sri Satyanarain Rai R/O Village-Salempur, P.S.-
Lalganj, District-Vaishali
 2. Fuldeo Rai Son Of Late Pukar Rai R/O Village-Salempur, P.S.-Lalganj,
District-Vaishali

.... Petitioner/s

Versus

The State Of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amrendra Nath Vishawas, Advocate.

For the Opposite Party/s : Mr. Ajay Mishra, APP.

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR
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ORAL ORDER

2 23-12-2013 Abhay Kumar, owner of Mahindra Tractor bearing registration no.06T-1764 filed written report divulging the fact that his driver Pappu Rai(petitioner no.1) had stealthily misappropriated the vehicle. So far petitioner no.2 Fuldeo Rai is concerned, there happens to be no specific allegation save and except disclosing that at an earlier occasion while he was searching the vehicle, he had persuaded him that the vehicle will come in following morning as well as he was found going with Pappu Rai in a magic vehicle.

It has been submitted on behalf of the petitioners that this case has falsely been instituted by the informant as petitioner Pappu Rai had filed complaint case no.1963 of 2013 against the

informant's father-in-law. With regard to petitioner no.2, it has been submitted that there happens to be no specific allegation which could connect the petitioner with the crime so alleged.

At the other hand, learned Additional P.P. along with learned counsel for the informant submitted that the tractor has not been traced out as yet.

In the aforesaid facts and circumstances of the case, prayer for anticipatory bail relating to petitioner no.1 Pappu Rai is rejected. He is directed immediately to surrender before the learned Lower Court and pray for regular bail.

So far petitioner no.2 Fuldeo Rai is concerned, he is directed to be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each in the event of his arrest or surrender within four weeks in connection with Lalganj P.S.Case No.109 of 2013 in terms of Section 438(2) of the Cr.P.C. to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur.

(Aditya Kumar Trivedi, J)

Brajesh Kr./-