

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31933 of 2015

Arising Out of PS.Case No. -159 Year- 2015 Thana -BARACHATTI District- GAYA

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1. Rakesh Kumar @ Rakesh Kumar Pal Son of Bansidhar Pal resident of
village - Khora, Ghaziabad, District - Ghaziabad (Uttar Pradesh)

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2

For the Opposite Party/s : Mr. Narendra Kumar Singh(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

4 24-11-2015 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

Petitioner is in jail custody since 3.05.2015 in a case
registered under section 407 of the Indian Penal Code.

No doubt, petitioner was driver cum owner of the truck
but admittedly, nothing has been recovered either from
possession of the petitioner or on the basis of his disclosure made
before the police. The stand of the petitioner is that while he
proceeded along with his truck loaded with wheat, some persons
gave intoxicated sweets to him as a result of which he became
unconscious and when he regained his consciousness, he found
himself in Barachatti market. Furthermore, it is the stand of the
petitioner that when he went to lodge the case about missing of his

truck as well as looted wheat, the concerned police officials did not institute any case.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st class, Sherghatti, Gaya in connection with Barachatti P.S. Case No. 159 of 2015, subject to condition that one of the sureties must be resident of State of Bihar and holder of landed property.

(Hemant Kumar Srivastava, J)

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