

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32519 of 2015

Arising Out of PS.Case No. -1013 Year- 2014 Thana -SITAMARHI District- SITAMARHI

1. Munita Devi Wife of Dinesh Mahto, resident of Mohalla- Janki Nagar,
Tola- Punaura, P.S.- Sitamarhi, District- Sitamarhi

.... Petitioner/s

Versus

1. The State of Bihar
2. The Bihar State Food Corporation through the District Magistrate,
Sitamarhi

.... Opposite Party/s

with

Criminal Miscellaneous No.48637 of 2015

Arising Out of PS.Case No. -1013 Year- 2014 Thana -SITAMARHI District- SITAMARHI

1. Vijay @ Vijay Rai Son of Sri Nawal Rai
2. Amar Kumar Thakur Son of Sri Bhola Thakur Both are Resident of
Village- Koaari, Police Station -Bathnaha, District Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Bihar State Food Corporation through the District Magistrate,
Sitamarhi.

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.32519 of 2015)

For the Petitioner/s : Mr. Pushpendra Kumar Singh

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

(In Cr.Misc. No.48637 of 2015)

For the Petitioner/s : Mr. Pushpendra Kumar Singh

For the Opposite Party/s : Mr. M.Dayal(App)

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL ORDER

3 03-11-2015 Both the bail applications arise out of the same

police station, therefore, they have been heard together and are

being disposed of by this common order.

Heard learned counsel for the petitioners and learned counsel appearing on behalf of B.S.F.C.

The petitioner of Cri. Misc. No. 32519 of 2015 is the owner of the truck whereas petitioners of Cri. Misc. No. 48637 of 2015 namely Vijay @ Vijay Rai and Amresh Kumar Thakur are driver and khalasi of the truck, which is alleged to have disappeared along with the rice, are apprehending their arrest in a case registered under sections 406 and 379 of the Indian Penal Code.

Learned counsel for the petitioners submits that the truck having loaded with grains was transported to reach its destination of Belsand but when it did not reach to its destination, it was suspected that it is missing with the food grains, then the first information report was lodged. It is further submitted that later on it was discovered that the truck in question had in fact reached at its destination and therefore, there was no case against these petitioners. Learned counsel for the petitioners further submits that similarly situated persons against whom there was identical allegation have been extended to the privilege of anticipatory bail in Cri. Misc. No. 33285 of 2015 by order dated 02.09.2015.

Considering the aforementioned facts and

circumstances and actually no case is made out against the petitioners, let the above named petitioners in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand0 with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in connection with Sitamarhi P.S. Case No. 1013 of 2014, subject to the conditions laid down under section 438(2) Cr.P.C.

(Anjana Mishra, J)

M.Rahman/-

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