

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52801 of 2015

Arising Out of PS.Case No. -45 Year- 2015 Thana -PANDARAK District- PATNA

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NISHAN YADAV, S/O CHANDESHWAR YADAV, Resident of Village-
Ganga Bigha, Police Station:- Chandi, District:- Nalanda.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Premchandra Yadav, Adv.

For the Opposite Party/s : Mr. A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 10-12-2015 Heard Sri Prem Chandra Yadav, learned counsel for
the petitioner and learned Addl. Public Prosecutor.

The petitioner, who is in custody since 13.04.2015 in
connection with Pandarak P.S. Case no.45 of 2015, registered for
the offence under Sections 406, 420 of the Indian Penal Code
Section 7 of the Essential Commodities Act, has prayed for grant
of bail.

It was submitted by learned counsel for the petitioner
that the petitioner was driver of a vehicle, which was loaded with
rice in the F.C.I. Mokamah and it was to be transported to F.C.I. ,
Bakhtiyarpur. However, the informant has alleged that the truck of
the petitioner and other two trucks had not reached at the
destination and subsequently the informant noticed that from all

the three trucks 28 bags of rice were removed. Thereafter, an F.I.R. was lodged. He submits that the petitioner is in custody since 13.04. 2015 and in identical situation other two co-accused/drivers of the vehicle , namely, Anuj Kumar and Rajaram @ Rajaram Prasad have been granted bail by this Court on 28.07.2015 vide Cr.Misc.No.26712 of 2015.

In view of facts and circumstances, particularly the fact that two other similarly situated accused persons have been granted bail, there is no reason to deny the prayer for bail of the petitioner. Let the petitioner, namely, Nishan Yadav be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate, Barh, Patna in connection with Pandarak P.S. Case no.45 of 2015.

(Rakesh Kumar, J)

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