

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.52123 of 2015

Arising Out of PS.Case No. -160 Year- 2015 Thana -RAJAULI District- NAWADA

1. Manoj Mahto S/o- Charitar Mahto, resident of village- Sripal Nagar, P.S.- Salimpur, District- Patna
2. Mukesh Yadav S/o Mahendra Prasad Yadav
3. Ranjit Yadav S/o Muneshwar Prasad Yadav
4. Surendra Yadav S/o Muneshwar Prasad Yadav
5. Sintu Pandey @ Sintu Pandey S/o- Kapildeo Pandey All resident of village- Dibour, P.S.- Rajouli, District-Nawada

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhakar Singh

For the Opposite Party/s : Mr. C.Sen Pd.Singh(App)

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 02-12-2015 Heard learned counsel for the petitioners and learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Rajauli P. S. Case No. 160/2015 registered for offences punishable under Sections 420, 467, 468, 469, 471/120 (B) of the Indian Penal Code.

The prosecution case is on the basis of written report by one Sudhakar Kumar, Sub Inspector of Police, Rajauli P.S., Nawada before the Police Inspector-cum- S.H.O., Rajauli P.S., Nawada that at about 10.20 P.M., S.H.O., Rajauli received confidential information on mobile about preparation of illegal documents for passing of vehicles from Bihar to Jharkhand border. Then he instituted Sanha and informed the Senior Officers.



Accordingly a raid party reached at Sardar line hotel. In presence of two independent witnesses, the hotel was searched during which one Pintu Kumar in the office of Vishwajeet Kar running in a room of the hotel was caught and several documents including laptops, chargers, printers rubber stamp, suvidha form, D (VII), D(IX) forms and several articles were recovered.. Pintu Kumar did not answer satisfactorily, hence, arrested and seizure list was prepared. Thereafter, the raiding party alongwith accused Pintu Kumar reached M/S jai Maa Durga Service and in presence of two witnesses searched the office and found Kundan Kumar, Manish Kumar, Raja Sandil and recovered similar articles and documents found in Sadar line hotel along with 3 registers in which date of registration no. with time of vehicle was noted. During enquiry the said persons said that they are employees of Manoj Mahto, petitioner No. 1 on whose directions they used to prepare the documents to pass the vehicle from the check post and who used to work of courier. Informant prepared the seizure list and arrested the said three persons. Further, all the four persons disclosed the name of Sintu Pandey, Anil Yadav, Mukesh Yadav, Ranjit Yadav and Surendra Yadav and ten others, who used to get the vehicle crossed from the said check-post by preparing illegal documents.

It has also been submitted that the petitioner No. 1 is Proprietor of M/s Jai Maa Durga Service and is an authorized

agent of various registered transport Companies to look after their transportation works on Rajauli Check post. All the forms of Revenue and Transport department found were down loaded from Laptops and no act was done illegally.

It has been submitted by the learned counsel for the petitioners that on the confessional statement of co-accused, the name of the petitioners has surfaced. It has also been submitted that all the petitioners have no criminal antecedents, as is evident from para-3 of this petition.

Be that as it may, since the confessional statement of co-accused has no evidentiary value, let the above named petitioners, in event of their arrest or surrender before the Court below within a period of eight weeks from today be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada in Rajauli P.S.Case No. 160/2015, subject to the conditions laid down under Section 438 (2)Cr.P.C.

(Nilu Agrawal, J)

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