

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8075 of 2015

Arising Out of PS.Case No. -144 Year- 2008 Thana -GORAUL District- VAISHALI(HAJIPUR)

Gyaneshwar Mishra @ Rameshwar Mishra son of Hem Narayan Mishra,
Resident of Village- Khargi Rampur, P.O.- Jiradei, P.S.- Jiradei, Dist.-
Siwan

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Md. Fahimuddin(APP)

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 20-05-2015 Heard learned counsel for the petitioner and
learned counsel for the State.

The petitioner apprehends his arrest in connection
with Goraul P.S. Case No. 144 of 2008 registered for the
offences punishable under Sections 420, 406, 407 and 120(B)
of the Indian Penal Code.

Learned counsel for the petitioner submits that for
the same allegation Brahmpur P.S. Case NO. 76 of 2008 was
filed and the driver of the truck, who is also the petitioner
herein appeared in that case and was granted bail by learned
Sessions Judge, Muzuffarpur vide order passed in B.P. No.
1725 of 2008. It is further submitted that two consignments of
litchis were booked on the same truck belonging to one Sanjay
Choubey, one of the consignment was of the informant of
Garaoul P.S. Case No. 144 of 2008 namely, Motilal Singh
whereas; another consignments was booked which led to the

lodging of Bharampur P.S. Case No. 76 of 2008. The truck, in question, belongs to one Sanjay Choubey and since the driver of the truck appeared before the Court, the owner of the truck namely, Sanjay Choubey was extended the privilege of bail. It is further submitted that since both the consignments were booked on the same truck and on the same date and in one case the petitioner has been extended the privilege of bail, the same privilege be granted to the petitioner in the present case.

Having perused the petition and also having compared the same with the facts and circumstances of the corresponding cases, I am satisfied that the same arose out of same transaction though by different parties on the same date.

Considering the aforementioned facts and circumstances of the case as also the fact that the petitioner has got no criminal antecedents, let the petitioner, in the event of his arrest or surrender before the Court below within a period of three weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Vaishali at Hajipur in connection with Goraul P.S. Case No. 144 of 2008, subject to the conditions as laid down under Section 438 (2) of the Cr. P.C.

(Anjana Mishra, J)

Jagdish/-

U		T	
---	--	---	--