

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11914 of 2015

Arising Out of PS.Case No. -487 Year- 2014 Thana -KAJI MUHAMMADPUR District-
MUZAFFARPUR

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1. Sajjan Kumar Chaudhary @ Sajjan Chaudhary S/o Late Jagdambi Chaudhary Resident of Village Narhan State, P.S. Bibhutipur, District Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.11973 of 2015

Arising Out of PS.Case No. -487 Year- 2014 Thana -KAJI MUHAMMADPUR District-
MUZAFFARPUR

=====

1. Abhay Singh @ Abhay Kumar Singh Son of Late Yugal Kishore Singh Resident of Village - Bhiat, P.S.- Barauni, District - Begusarai

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

For the petitioners: In both cases: Mr. S. D. Sanjay, Sr. Advocate.
For the State : Mr. R.P.S. Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

2 27-03-2015 Both petitions arise out of Kaji Muhammadpur P.S. Case No. 487 of 2014 registered under Sections- 414, 420, 467, 468, 471/34 of the Indian Penal Code, in which, petitioners apprehend their arrest and accordingly, both the above-said petitions are being heard and disposed off by this common order.

Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

Allegedly, in huge quantity adulterated cements were



recovered from a truck and according to first information report itself, the registered owner of the aforesaid truck was the petitioner in Cr. Misc. No. 11914 of 2015 but the impugned order dated 20-02-2015 passed by learned Sessions Judge in ABA No. 335 of 2015 reveals that the petitioner in Cr. Misc. No. 11914 of 2015 had taken stand before the learned Sessions Judge that the truck, in question, was being plied by the petitioner in Cr. Misc. No. 11973 of 2015.

The contention on behalf of the petitioner in Cr. Misc. No. 11973 of 2015 is that the above-said petitioner had purchased the truck in question from the petitioner in Cr. Misc. No. 11914 of 2015 but unfortunately, the relevant document of the aforesaid truck could not be transferred in the name of the petitioner in Cr. Misc. No. 11973 of 2015. It is further contended by him that as a matter of fact, the above-said petitioner only directed the driver of the said truck to load the articles and he was not aware of this fact that the bags of adulterated cement were loaded at his truck.

In view of the aforesaid submissions, I think it proper to extend the privilege of anticipatory bail to the petitioner in Cr. Misc. No. 11914 of 2015, namely, Sajjan Kumar Chaudhary @ Sajjan Chaudhary and accordingly, it is ordered that let the petitioner in Cr. Misc. No. 11914 of 2015, namely, Sajjan Kumar

Chaudhary @ Sajjan Chaudhary, in the event of his arrest or surrender within four weeks from the date of receipt/production of copy of the order in the court below, be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each in connection with Kaji Muhammadpur P.S. Case No. 487 of 2014 to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur subject to the conditions as laid down u/S 438(2) of the Cr. P.C.

So far as the petitioner in Cr. Misc. No. 11973 of 2015 is concerned, I think it proper to peruse the case diary of above-said Kaji Muhammadpur P.S. Case No. 487 of 2014 and accordingly, call for the Photostat copy of case diary of Kaji Muhammadpur P.S. Case No. 487 of 2014 from the court of learned Chief Judicial Magistrate, Muzaffarpur and list Cr. Misc. No. 11973 of 2015 under the appropriate heading immediately, after receipt of the same.

(Hemant Kumar Srivastava, J)

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