

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20651 of 2015

Arising Out of PS.Case No. -253 Year- 2013 Thana -MAHARAJGANJ District- SIWAN

=====

1. Manager Yadav Son of Mahesh Yadav
2. Pappu Yadav Son of Manager Yadav Both residents of Village-
Bishunpura, P.s Vijaipur, district Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Javed Aslam

For the Opposite Party/s : Mr. Amrendra Prasad(App)

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-06-2015 The petitioners are apprehending their arrest in connection with Maharajganj PS case No. 253/2013 for the offence under section 420, 406, 323, 504, 506/34 of the Indian Penal Code.

Heard learned counsel for the petitioners and the State.

The prosecution story, in brief, is that the petitioners and other accused persons took away the truck of the informant worth Rs. 16,00000/- by giving an assurance to pay installments of the loan taken in relation to the truck and half profit of the business of the truck to the informant but allegedly neither giving the said installments and profit nor returned the truck to the informant.

It has been submitted on behalf of the petitioners that

the petitioners have no criminal antecedents. Further, as per allegation, the informant had given the truck in question to the petitioners with condition that he will pay bank installments and at the same time 50% of profit from running the truck. It has further been submitted that there is no documentary evidence to substantiate the allegation made in the FIR. Further, it has been submitted that if the aforesaid allegation is accepted to be true still the informant ought to have filed a civil suit for the specific performance of contract.

On behalf of the State it has been submitted that the petitioners are named in the first information.

Considering the aforesaid facts, let the above named petitioners, in the event of their arrest or surrender in the court below within a period of four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Siwan in connection with Maharajganj PS case No. 253/2013, subject to condition as laid down under section 438(2) of the Cr. P.C.

(Sudhir Singh, J)

BKS/-

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