

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.36762 of 2015**

Arising Out of PS.Case No. -2 Year- 2015 Thana -BISHUNPUR District- DARBHANGA

=====

Santosh Kumar Rai S/o Sri Ram Udai Rai Resident of village - Dhepura,  
P.S. Dalasing Sarai, Distt. - Samastipur

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Surya Narayan Roy

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

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

02/ 10-09-2015

Heard learned counsels for the petitioner

and the State.

The petitioner is apprehending his arrest in  
a case registered for the offences punishable under Section 379  
of the Indian Penal Code.

The informant being District Transport  
Officer, Darbhanga intercepted four trucks for the charge of  
overloading and the trucks were being parked on the Darbhanga-  
Samastipur Main Road when the informant being Chaukidar was  
on duty to look after the seized four trucks but one of the trucks  
went missing.

It is submitted by learned counsel for the  
petitioner that the petitioner is the owner of the alleged truck and

the driver after making the payment of fine and after receiving the receipts took the truck. Moreover, the accusation, if at all, taken to be true any offence is made out it is made out against the driver and not against the petitioner.

A statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Darbhanga in connection with Bishanpur P.S. Case No. 02 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

**(Dinesh Kumar Singh, J)**

DKS/-

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