

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28369 of 2015

Arising Out of PS.Case No. -27 Year- 2015 Thana -MADANPURA District- AURANGABAD

- =====
1. Meena Devi W/o Manu Mahto resident of Village - Pundi, P.S. - Mandu, District - Ramgarh (Jharkhand).
 2. Nesar Alam S/o Yasin Ansari resident of House No. 88, Pundi, P.S. Mandu, District - Ramgarh (Jharkhand).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Singh

For the Opposite Party/s : Mr. Smt. Indu Kumari Srivastava(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 01-10-2015 Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a case instituted under Sections 468, 467, 471, 120(B), 406, 420 of the Indian Penal Code.

On secret information, the informant restrained seven trucks loaded with coal and drivers of the said trucks were caught and after query the drivers told that the coal had been loaded from Dhanbad colliery and papers produced appeared to be forged and fabricated.

On behalf of the petitioners it has been submitted that the petitioners have got no criminal antecedent and the petitioners have been falsely implicated in the present case. The petitioners are owners of the trucks, in question, which were apprehended on the ground that papers of the truck appeared to be forged one.

From perusal of the impugned order, it appears that in spite of specific direction by the learned Sessions Judge while

considering the bail of other co-accused, verification report of the trucks in question was called for but the same was not submitted by the Investigating Officer . Then, in the said circumstances, other co-accused were granted regular bail, who happen to be the drivers of the trucks and apprehended at the spot. In case diary there is no verification report to show that the paper of truck was forged.

As far as petitioners are concerned, they are the owners of the trucks and were not apprehended at the spot. They denied the allegation in respect of the forged papers of the trucks.

Considering the aforesaid facts, let the above named petitioner, 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 learned C.J.M., Aurangabad in connection with Madanpur P.S.Case No. 27 of 2015, subject to the conditions as laid down u/s 438(2) Cr.P.C.

(Sudhir Singh, J)

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