

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42662 of 2015

Arising Out of PS.Case No. -91 Year- 2015 Thana -MUFFASIL District- AURANGABAD

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1. RUPESH KUMAR MAHTO @ RUPESH KR. MAHTO, S/O KUNJ BIHARI MAHTO, R/O VILLAGE KARO BASTI, P.S. - BERMO, IN THE DISTRICT OF BOKARO, JHARKHAND.
2. MD. JALIL ANSARI S/O ALIJAN ANSARI R/O VILLAGE ASNA SINGHA, P.S. NIMIYA CHAT, DISTRICT - GIRIDIH, JHARKHAND.

.... PETITIONER/S

VERSUS

THE STATE OF BIHAR.

.... OPPOSITE PARTY/S

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh

For the Opposite Party/s : Mr. Shyam Bihari Singh(App)

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 09-10-2015 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Aurangabad (M) P.S. Case No. 91 of 2015 registered under Sections 414, 406, 420 and 120(B) of the Indian Penal Code.

The accusation is that in course of checking by the informant, police official, four trucks were intercepted loaded with coals. On demand of the paper of the loading of the coals, no any paper was produced by the driver of the trucks. Accordingly, trucks were seized.

Learned counsel for the petitioners submits that

petitioner no. 1 is the owner and petitioner no. 2 is the driver of the truck bearing registration no. JH02-AB-2549 and at the time of intercepting the paper was produced by the petitioner no. 2 but the truck was not released. It is further submitted that while the truck was intercepted on 08.05.2015 but the F.I.R. was lodged on 11.05.2015. It is further submitted that co-accused, Rajesh Kumar Singh @ Rajesh Kumar and Bhsuan Singh @ Bhushan Kumar Singh, who are the owner and driver of the truck bearing registration no. Jh21-3751, have already been granted privilege of anticipatory bail by a Bench of this Court vide order dated 05.10.2015 passed in Criminal Misc. No. 40495 of 2015.

Considering the aforesaid submissions, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Aurangabad, in connection with Aurangabd (M) P.S. Case No. 91 of 2015, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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