

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.45982 of 2015

Arising Out of PS.Case No. -547 Year- 2014 Thana -PURNEA SADAR District- PURNIA

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Bikash Kumar Karn @ Kanhaiya, Son of Ram Lal Sah, Resident of
Mohalla- Lal Bagh, P.S.- Sadar, District- Purnia. Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Nand Kishore Pd., A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI

SHARAN SINGH

ORAL ORDER

2 07-10-2015

Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

This application for grant of regular bail arises out of Sadar P.S. Case No. 547 of 2014, disclosing offences under Sections 406 and 420 of the Indian Penal Code.

It is the prosecution case that the informant had hired services of Transporter Kunal Roadways, owned by Kundan Kumar for the purpose of carriage of grains, in course of his business, from one place to another. The truck, loaded with grains was found missing and subsequently, empty truck was recovered, on the next day. The Transporter, Kundan Kumar, who is a co-accused, is said to have disclosed the name of the petitioner, who was driving the truck and accordingly, he has been implicated in the present case.

Learned counsel for the petitioner submits that in order to save his skin, Kundan Kumar had got the present petitioner implicated and the petitioner was, in fact, not driving the

said truck on the particular date. He further submits that the Police, after investigation, have already submitted chargesheet and no fruitful purpose would be served on keeping the petitioner any further in jail. He also submits that there is no chance of the petitioner tampering with the evidence, in view of the nature of acquisition against him. The petitioner is in custody since 24.06.2015.

In view of the submission as above, this application is allowed.

Let the petitioner, above-named be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Purnia in connection with Sadar P.S. Case No. 547 of 2014.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Vats/-

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