

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41918 of 2014

Arising Out of PS.Case No. -136 Year- 2013 Thana -BALIA District- BEGUSARAI

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Bijoy Singh, son of Late Gorakh Kumar, R/o Village Sirania, P.S.
Matihani, District Begusarai

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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CORAM: HONOURABLE MR. JUSTICE RAMESH KUMAR DATTA
ORAL ORDER

2 10-04-2015 Heard learned counsel for the petitioner and learned
Additional P.P. for the State.

The petitioner prays for anticipatory bail in a case under
Sections 406 and 420 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner being the owner of the Nav Durga Transport Company
which had undertaken to transport 245 bags of maize of the
informant was not directly involved in the matter in the sense that
the truck itself had been taken on hire by him and if at all the
liability would be of the owner of the truck and its driver neither
of whom are under the direct control of the petitioner whose
transport firm is merely acting as a commission agent. At the very
least no criminal liability should be put upon the petitioner.

It is further submitted by learned counsel that admittedly
in the FIR the truck was found at the house of the driver without

the bags of maize loaded upon it and for the said reason also it appears to be a case where the driver is involved in the illegal act.

On a consideration of the facts and circumstances of the case, it is directed that the petitioner Bijoy Singh, in the event of his arrest or surrender in the court below within a period of four weeks from today, shall be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each in connection with Balia P.S.Case No. 136 of 2013 to the satisfaction of the Chief Judicial Magistrate, Begusarai, subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure.

(Ramesh Kumar Datta, J)

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