

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24304 of 2016

Arising Out of PS.Case No. -384 Year- 2015 Thana -FATUHA District- PATNA

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Gorelal Yadav @ Arvind Yadav, Son of Jugdish Yadav, Resident of
Village- Telmar, P.S.- Telmar (Harnaut) District Nalanda.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance:

For the Petitioner : Mr. Sudhir Kumar Upadhyay, Advocate.

For the Opposite Party : Mr. Md. Arif, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 05-08-2016 Heard learned counsel for the petitioner. None
appears on behalf of the State.

The petitioner apprehends his arrest in Fatuha P. S.
Case No. 384 of 2015 registered under Sections 406, 420, 379
and 120B of the Indian Penal Code.

The informant alleged that from Fatuha Rack Point,
620 bags of D.A.P. fertilizer of PPL company was loaded on
truck no. BR01GC 4827. The truck proceeded to unload the same
in the godown of the informant but the driver and the owner fled
away with the truck somewhere else and 620 bags of D.A.P
fertilizer were misappropriated by them.

Learned counsel for the petitioner submits that the
petitioner is not the owner of the truck. The petitioner is a farmer
and he owns a tractor. It appears from para-30 of the case diary

that owner of the truck bearing no. BR01GC4827 is Deepak Ram, son of Ramdeo Ram, resident of Kishore Chaudhary, M. G. Nagar, Kankarbagh, Patna.

Considering the facts aforesaid that the petitioner is not the owner of the truck, the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Patna City in Phatuha P. S. Case No. 384 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J.)

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