

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47677 of 2015

Arising Out of PS.Case No. -498 Year- 2014 Thana -PURNEA SADAR District- PURNIA

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Krishna Sah @ Krishna Saw Son of Sarla Sah @ Saral Saw

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Advocate

For the Opposite Party/s : Mr. S.Ehteshamuddin(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 18-02-2016

It is a tied up mater of Hon'ble Mr. Justice Prabhat Kumar Jha, but the matter has been listed before this Court in view of the administrative order of Hon'ble the Acting Chief Justice dated 17.02.2016 since the concerned Bench is not available due to medical exigency.

Heard learned counsels for the petitioner and the State.

The petitioner is languishing in custody since 13.10.2014 has renewed his prayer for bail in a case registered for the offences punishable under sections 406/420 of the Indian Penal Code.

Prosecution case is that the informant Vijay Kumar Rai, who is owner of Jai Hind Transport sent the truck loaded with 25 quintals of grains from Kolkata to reach the destination

at Forbisganj(Bhagalpur). The petitioner was driver of the said truck but when no trace was found then the case was lodged. The truck was recovered on the confession of the petitioner from the garage of one Lal Thakur and grains were recovered from the possession of one Ram Dular Singh.

It is submitted by learned counsel for the petitioner that nothing has been recovered from the possession of the petitioner. A statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

A report with regard to stage of trial was called for by a co-ordinate Bench of this Court Vide order dated 2.12.2015. The report of the learned CJM, Purnea, dated 10.12.2015 received through Letter No.1490/2015, reflects that still the evidence has not started.

Considering the aforesaid facts, let the above named petitioner be released on bail, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Purnea in connection with Sadar P.S. Case No.498/2014.

(Dinesh Kumar Singh, J)

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