

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.6634 of 2016

Arising Out of PS.Case No. -185 Year- 2015 Thana -MASAURHI District- PATNA

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Bijay Yadav @ Bijay Kumar son of Rajendra Prasad, resident of village-
Purani Bazar, P.S.- Masaurhi, District- Patna

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha

For the Opposite Party/s : Mr. Anil Kr. Singh No.1 (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 12-02-2016

Heard learned counsels for the petitioner

and the State.

The petitioner is apprehending his arrest in
a case registered for the offences punishable under Sections 420,
467 and 468/34 of the Indian Penal Code.

The prosecution case is that the informant
purchased a truck of hire purchase basis being Registration No.
BR01GD 4210 which was seized on 05.08.2014 by the agent of
L.N.T. Finance company and the seizure list was handed over to
the driver of the truck Rakesh Kumar. The seizure was made at



Masaurhi and informant claimed to have met the petitioner and his friend Sunil Kmar, who asked the informant deposit the due amount for release of the truck then the informant requested for time to arrange money. Subsequently, on 12.12.2014 the petitioner called the informant and suggested that he had arranged purchaser when an agreement was prepared and the truck was sold for Rs.2,50,000/-, out of which Rs.1,00,000/- was given to this petitioner. Subsequently the informant came to know that the petitioner is not the authorized agent of the alleged finance company.

It is submitted by learned counsel for the petitioner that, in fact, the truck in question was seized but it was released on the directions of the finance company and thereafter, maliciously the present case has been lodged.

A statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the nature of accusation and the finance company has no claim against the petitioner, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount

each to the satisfaction of learned Sub-divisional Judicial Magistrate, Masaurhi in connection with Masaurhi P.S. Case No. 185 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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