

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.20591 of 2016

Arising Out of PS.Case No. -636 Year- 2014 Thana -AHIAPUR District- MUZAFFARPUR

1. Sanjay Tiwari son of Raj Kishore Tiwari, resident of Village- Sherpur,
P.S.- Sadar, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bela Singh

For the Opposite Party/s : Mr. Satyaverat Verma(App)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 20-05-2016 Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Ahiyapur Police Station Case No. 636 of 2014,
disclosing offences under Sections 3406, 420, 120B of the
Indian Penal Code.

The case of the prosecution is that the truck
hired by the informant from the transport agency, owned
by the petitioner, which was loaded with 150 quintals of
rice, had proceeded to Shivgalla Bhandar, Sursand, in
Sitamarhi, but it did not reach its destination. With the
allegation that the owner, driver and the transport agency
colluded to misappropriate the foodgrains, the First

Information Report came to be lodged.

Learned Counsel for the petitioner has submitted that the truck has subsequently been recovered from near the house of the maternal uncle of the driver of the said truck. It has further been submitted that the owner of the truck, Munna Ray, has been granted anticipatory bail by this Court by order, dated 14.08.2015, passed in Criminal Missc. No. 31723 of 2015.

Considering the aforesaid fact and the fact that the petitioner has been implicated only on the ground that he runs the said transport agency, this application is allowed.

Let the petitioner, Sanjay Tiwari, in the event of his arrest or surrender before the Court below within six weeks, 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 Chief Judicial Magistrate, Muzaffarpur, in connection with Ahiyapur Police Station Case No. 636 of 2014, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

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 bond shall be liable to be cancelled.

Prabhakar Anand/-

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(Chakradhari Sharan Singh, J.)