

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.23589 of 2016

Arising Out of PS.Case No. -37 Year- 2016 Thana -MADHUBAN District-  
EASTCHAMPARAN(MOTIHARI)

1. Rabindra Nath Son of Munshi Ram, Resident of Bhagat Namdev Model  
Town Talwandi Road, Zira, P.S.- Ferozepur, district- Ferozepur, Punjab.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saket Tiwary

For the Opposite Party/s : Mr. Upendra Kumar(App)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI  
SHARAN SINGH  
ORAL ORDER

3 14-07-2016 The certified copy of the First Information  
Report of Madhuban Police Station Case No. 37 of 2016 has  
been filed on behalf of the petitioner, let the same be kept  
on record.

Heard learned Counsel for the petitioner and  
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,  
arises out of Madhuban Police Station Case No. 37 of 2016,  
disclosing offences under Sections 414, 465, 466, 467, 468,  
471, 474, 420/34 of the Indian Penal Code.

The petitioner is the owner of the truck, bearing  
Registration No. PB 03X-7005. The said truck, loaded with  
coal, was seized by the Police. The papers, handed over by

the driver and the helper of the truck, were not found to be genuine.

Learned Counsel appearing on behalf of the petitioner has submitted that there is no material to suggest that petitioner had played any role in illegal transport of coal in the truck. He has submitted that originally, the truck was sent to Assam from Durgapur, West Bengal. From Assam, the present consignment was taken by the driver for a brick kiln.

Learned Additional Public Prosecutor has submitted that in the case diary, there is no material and the case diary does not even contain the statements of the driver and the assistant driver of the said truck.

Considering the above submission, this application is allowed.

Let the petitioner, Rabindra Nath, 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, East Champaran, Motihari, in connection with Madhuban Police Station Case No. 37 of 2016, 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.

**(Chakradhari Sharan Singh, J.)**

Prabhakar Anand/-

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