

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 30269 of 2016

Arising out of P.S. Case No. -70 Year- 2013 Thana -BARAUNI
District- BEGUSARAI

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KANHAIYA DAS @ KANHAIYA KABARIWALA @ KANHAIYA @
KANHAIYA DAS KABARIWALA Son of late Ramji Prasad Das
Resident of Village/Mohalla- Hemra Road, Town Police Station
Begusarai, District Begusarai.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nirmal Kumar Sinha, Adv.

For the Opposite Party/s: Smt. Indu Bala Pandey, Adv.

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

02. 04.08.2016

Heard learned counsel for the Petitioner as well
as learned Additional Public Prosecutor for the State.

The Petitioner seeks bail in a case registered for
the offences under Sections 414/420 of the Indian Penal
Code.

The Informant claims that on 15.02.2013 he got
an information that his truck bearing Regn. No. BR1G-
9976 was found missing after which the aforesaid truck
was recovered from the “Kabadi Shop” of the petitioner.

Submission on behalf of the petitioner is that the
aforesaid truck had been purchased by one Saurabh
Kumar taking loan from Sri Ram Commercial Vehicle
Finance Company and the aforesaid Finance Company
later on seized the aforesaid truck when above named



Saurabh Kumar made default in payment of the loan amount thereafter the aforesaid truck was sold in auction which was purchased by one Ranjit Sah who subsequently sold the said truck to the petitioner. It is further submitted that when the truck in question was seized by the concerned police station in connection with the present case, the authorized officer of Shri Ram Commercial Vehicle Finance Company gave a petition to concerned Office In-charge disclosing the above stated fact. It is further submitted that police after due investigation submitted final form finding the case false and recommended for initiation of proceeding under Sections 182/211 IPC against the Informant but later on police re-investigated the case and submitted charge-sheet against the petitioner.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the Petitioner, above named be released on bail on furnishing bail bonds of Rs. 5,000/- (Five Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Begusarai in connection with Barauni P.S. Case No. 70 of 2013.

(Hemant Kumar Srivastava, J.)

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