

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51297 of 2016

Arising Out of PS.Case No. -14 Year- 2016 Thana -BELA INDUSTRIAL District-
MUZAFFARPUR

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Hare Krishna Yadav @ Chhote Son of Kameshwar Yadav Resident of
Village- Pansuhi, P.S. -Dulhin Bazar, District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gajanan Arun, Advocate

For the Opposite Party/s : Mr. Rajesh Kumar, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 13-12-2016 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
06.09.2016 in connection with Bela (Muzaffarpur) P.S. Case No.
14 of 2016 registered for the offence punishable under Sections
406 and 420 of the Indian Penal Code.

The prosecution case is that on 30.08.2016, on the
demand of Kamdhenu Pvt. Ltd., for carrying goods, petitioner
brought a truck bearing Registration No. 25G-4239 to the
company. It is alleged that before departure of the truck, driver put
his signature on bilti mentioning his name as Rajiv and name of
petitioner was mentioned as the owner of the truck. It is further
alleged that on enquiry, it came to light that driver and the owner



of the truck was the same person, who has disappeared with the goods of the company worth Rs. 3,66,540/-.

It has been submitted by the learned counsel for the petitioner that he is innocent and has been falsely implicated in the aforesaid case. He submits that charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence.

However, learned A.P.P. for the State submits that the petitioner is named in the First Information Report, hence, opposes the prayer for bail.

Considering the facts and materials on record as also the fact that petitioner's liberty on bail would not adversely affect his trial, as the charge-sheet has already been submitted, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-cum- Sub-Judge 12th, Muzaffarpur in connection with Bela (Muzaffarpur) P.S. Case No. 14 of 2016.

This direction for bail is further subject to the condition that petitioner shall not directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts



to the Court or to any police officer or tamper with the evidence
and shall appear in the learned Court below, as and when directed.

With these observations and directions, this
application stands allowed.

(Nilu Agrawal, J.)

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