

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52836 of 2016

Arising Out of PS.Case No. -50 Year- 2016 Thana -CIVIL LINE District- GAYA

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Laxman Prasad, S/o Kapil Rao, resident of Mohalla - Jai Prakash Nagar,
Gewal Bigha, P.S. - Civil Lines, District - Gaya.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA

ORAL ORDER

2 06-12-2016 Heard learned counsel for the petitioner and the learned A.P.P.
for the State.

The petitioner apprehends his arrest in connection with Civil
Lines P.S. Case No.50 of 2016 registered under Sections 406 and 420
of the Indian Penal Code.

The accusation is that the informant used to reside at the
house of one Chandra Bhushan Prasad on rent and she also hired the
place in the campus of the petitioner to keep his Tavera vehicle. On
07.02.2016, in the evening, the petitioner came at the house of the
informant and asked for giving key of Tavera vehicle to change the site
of the same and the informant handed over the key of Tavera vehicle to
the petitioner but on 08.02.2016, the informant came to know that in the
night of 07.02.2016, the petitioner in a drunken state was driving



Tavera vehicle and dashed in the wall in which Tavera vehicle of the informant became damaged causing loss of worth Rs.3,00,000/-.

Learned counsel appearing on behalf of the petitioner submits that, in fact, one Ashok Choudhary, whose wall was damaged at the time of driving Tavera vehicle by the Driver, namely, Kamlesh Kumar Malakar, lodged the case against the Driver of the Tavera vehicle and, thereafter, Kamlesh Kumar Malakar, the Driver of Tavera vehicle, appeared before the trial court in connection with Bishnu Path P.S. Case No.16 of 2016, lodged by Ashok Choudhary, and he was released on bail by the court of the Chief Judicial Magistrate, Gaya vide order dated 11.04.2016 but the petitioner has falsely been implicated in this case.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Gaya, in connection with Civil Lines P.S. Case No.50 of 2016, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

P.S./-

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