

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.43599 of 2016

Arising Out of PS.Case No. -48 Year- 2014 Thana -MOHANIA District- BHABHUA (KAIMUR)

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Shiojee Prasad Mali @ Shio Prasad Mali, S/o Hari Prasad Mali, R/o Vill.
Baddi Bazaar, P.S. Mohania, District – Kaimur at Bhabua.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajani Kant Pandey

For the Opposite Party/s : Mr. Sri Ashok Kumar Singh

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 18-10-2016

Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Mohania P.S. Case No. 48 of 2014 registered under Section
406 of the Indian Penal Code.

The allegation of informant is that the petitioner,
being the driver of the Scorpio, had gone to clean the vehicle on
25.02.2014 at 12:00 O'clock, but he did not return till late night.
While he tried to talk with the petitioner on his mobile but his
mobile was switched off. Thereafter, on 26.02.2014, in the
evening, Hari Prasad Mali, father of the petitioner, informed that
he was in injured condition at Dinara. Then the informant reached
at Dinara, where the petitioner said that four persons hired his
vehicle and dashed him at Dinara from the vehicle and went away.

The informant raised suspicion against the petitioner having hand in disappearance.

Learned counsel appearing on behalf of the petitioner submits that admittedly, petitioner was driver of the vehicle of the informant on the date of occurrence. The petitioner was driving the vehicle after boarding the passengers, in that course, the petitioner was dashed from the vehicle by the passengers and they fled away, but with ulterior motive, only on suspicion the petitioner has falsely been made accused by the informant in this case.

Having considered the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the C.J.M., Kaimur at Bhabua in connection with Mohania P.S. Case No. 48 of 2014, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Rajendra Kumar Mishra, J)

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