

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1420 of 2016

Arising Out of PS.Case No. -30 Year- 2015 Thana -ISHOPUR District- BHAGALPUR

- =====
1. Gopal Chaudhary son of Mahesh Chaudhary Resident of village- Makrandpur, Police Station- Pirpainti, District- Bhagalpur.
 2. Mir Noor @ Noor son of Late Mir Ahmad,
 3. Driver Aslam @ Md. Alam Son of Mir Taiyab
 4. Md. Jahid @ Jahid son of Mir Noor
- petitioner nos. 2 to 4 resident of village- Kari Kado, Police Station- Shiv Nagar, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Najmul Hodda, Advocate

For the Opposite Party/s : Mr. Veena Rani Prasad (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 12-01-2016 Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 413, 414, 419, 420, 467, 468, 120B of the Indian Penal Code.

The prosecution case is that three trucks were intercepted by the police, where no documents were produced with regard to ownership of the truck. The photocopy was produced by petitioner no. 3, Driver Aslam

@ Md. Alam, but the chesis do not tally with the photocopy of the documents which was produced to one of the truck.

It is submitted by the learned counsel for the petitioners that petitioner no.1 is the owner of one of the trucks, whereas other owner is petitioner no.2. One of the trucks have been sold by petitioner no. 1, Gopal Chaudhary to petitioner no. 2 Md. Noor @ Noor, whereas petitioner no. 3 Driver Aslam @ Md. Alam is the driver of the truck. It is further submitted that petitioners are bona fide owners of the vehicle in question and only on suspicion the trucks have been seized. Moreover, the co-accused Subodh Yadav, with regard to whose truck there was dispute and discrepancy was found between the photocopy of registration document and the chesis as has been granted bail vide Cr. Misc. No. 23950 of 2015 and the driver has also been granted bail vide Cr. Misc. No. 48744 of 2015. Statement has been made in para-3 of the petition that petitioners have no criminal antecedent.

Considering the nature of accusation and the fact that ultimately the genuineness of ownership of the truck will be verified at the time of release, let the above named petitioners be released on bail in the event of their arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like

amount each to the satisfaction of learned Sri Mukesh Kumar, J.M., Ist Class, Bhagalpur in connection with Ishipur (Barahat) P.S. Case No. 30 of 2015, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Dinesh Kumar Singh, J)

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