

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32439 of 2016

Arising Out of PS.Case No. -588 Year- 2015 Thana -MUZAFFARPUR SADAR District-
MUZAFFARPUR

Manoj Rai @ Rajesh Rai Son of Dhanraj Rai, resident of Village- Dhanauti,
Police Station- Ekma, District- Chhapra (Saran).

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pancham Lal Jaiswal, Advocate

For the Opposite Party/s : Mr. Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 23-09-2016

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted for the offences under Sections 120(B), 406, 420, 468 and 379 of the I.P.C.

The prosecution case, in brief, is that Complainant/informant is a Proprietor of Jai Mata Di Transport Agency and the petitioner, who is driver of Truck No. WB-25D-8053, was doing work of transportation. He loaded rice of 16.90 tone worth Rs.2,70,400/- from Bhole Shankar Galla, Samastipur on 21.6.2015 to deliver to Sri Raju Bhodika, Kaliyaganj, West Bengal, but both numbers of mobile was switched off and on 26.9.2015 when the contract was made from the wife of the driver, she told that on 9433555203 she has talked with her

husband but when he tried to talk the number was switched off. The villagers told his name as Rakesh Rai but he has given his name as Manoj Yadav. The informant has claimed that the petitioner and owner of truck have jointly conspired and committed the occurrence.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 21.2.2016 and the charge sheet has been submitted in the present case. The petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. There is no substantive evidence to show his implication in the present case. It is further submitted that the petitioner is ready to deposit an amount of Rs.30,000/- in the court below, which shall be subject to final disposal of the case.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioner shall deposit an amount of Rs.30,000/- in the court below, which shall be subject to final disposal of the case and on doing so, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand)

with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Muzaffarpur in connection with Sadar P.S. case No.588 of 2015.

(Sudhir Singh, J)

Narendra/-

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