

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45517 of 2015

Arising Out of PS.Case No. -48 Year- 2013 Thana -SURYAPURA District- SASARAM (ROHTAS)

1. Manoj Kumar Rai Son of Uma Rai resident of Village - Garrerio, Police Station - Dofthi, District - Balia (U.P.).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Roy

For the Opposite Party/s : Mr. Nirmal Kr.Sinha(App)

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 18-01-2016 Heard learned counsel for the petitioner and learned counsel appearing on behalf of the State.

The petitioner, who is owner and driver of truck in question is apprehending his arrest in connection with Suryapura P.S. Case No. 48 of 2013, registered for offences punishable under Sections 407, 120(B) of the Indian Penal Code.

Diary in the present case was called for which has since been received.

Learned counsel for the petitioner submits that the petitioner is not at all responsible for the alleged disappearance of 160 quintal and 20 Kg. wheat, which is purported to have been handed over the petitioner. He submits that no challan or bilti was prepared with regard to his truck and the transporter

mischievously used the number of his truck. He further submits that the truck in question was never handed over by the petitioner to the transporter for the transportation of the wheat to the informant. Learned counsel after perusal of the case diary submits that apart from the allegations made in the F.I.R., there is not cogent material in case diary so as to implicate the present petitioner.

Considering the aforementioned facts and circumstances and also the fact that the petitioner has no criminal antecedent, let the petitioner above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 10,000 (Rs. Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Rohtas at Sasaram in connection with Suryapura P.S. Case No. 48 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjana Mishra, J)

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