

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48763 of 2015

Arising Out of PS.Case No. -279 Year- 2015 Thana -KOTWALI District- PATNA

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Prakash Kumar son of Rama Shankar Prasad resident of Mohalla-
Hanumannagar Bypass, P.S.- Ramkrishna Nagar, District- Patna

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rajesh Shankar Sinha, Advocate

For the Opposite Party/s : Mr. Gajendra Pd.Yadav(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 05-02-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection with Kotwali P.S. Case No.279 of 2015 for the offences instituted under Sections 379 and 411/34 of the Indian Penal Code.

The prosecution story, in brief, is that on 5.6.2015 one Anirudh Ramesh Parkhi, Project-in-charge of B.V.G. India Ltd. gave his written petition before the Officer-in-charge Kotwali P.S. alleging therein that on 4/5.6.2015 at about 1 a.m. sub-contractor informed him that one cable drum is being loaded in a truck and after getting information he immediately reached there and informed the police. It is further alleged that with the help of



police three accused persons were arrested and one truck bearing registration no.-HR38M-1719 and one Hydra bearing registration no.BR-01-GB-9874 and one drum cable which was loaded on the truck was seized. On interrogation the accused persons disclosed their names as Sanjay Singh Yadav, Jitendra Kumar and Kalim Khan (truck driver). They further disclosed about the name of his Khalasi as Atik Khan, who succeeded to flee away from there. On further interrogation from the khalasi of Hydra he disclosed the name of owner of Hydra and told that one Manish hired Hydra to load the cable wire for Gaya destination. The driver of the truck disclosed that the truck was sent by the owner of All India Transport.

It is submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. It is further submitted that the petitioner is not named in the F.I.R. Nothing incriminating is said to have been recovered from the possession of the petitioner. The other co-accused have been granted bail vide Cr. Misc. No.53005 of 2015.

On behalf of the State, it is submitted that the petitioner's name has come in course of investigation.

Considering the aforesaid facts and circumstances, let the above named petitioner, in the event of arrest or surrender in

the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of learned C.J.M., Patna, in connection with Kotwali P.S. Case No.279 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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