

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.47453 of 2016

Arising Out of PS.Case No. -16 Year- 2015 Thana -MAHKAR District- GAYA

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Baban Yadav Son of Ram Bali Yadav Resident of Village-Bhithra, P.S.
Atri, District-Gaya Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Saxena

For the Opposite Party/s : Mr. Sri Ajay Kumar -2

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 13-12-2016 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner apprehends his arrest in connection with
Mahkar P.S. Case No. 16 of 2015 registered for the offences
punishable under Sections 406, 420, 424, 353/34 of the Indian
Penal Code.

The only allegation against the petitioner is that he and
others opposed the informant in bringing the truck which was met
with an accident, thereafter, the truck was handed over on
Jimmenama to Sudhir Kumar Yadav and on that Jimmenama
Navin Kumar and Ramashray Yadav also signed and entered their
thumb impression but the truck was handed over to the truck
owner illegally.

Submission is of false implication and that no offence as
alleged is made out against the petitioner and further the truck in



question was not given to the petitioner on Jimmenama, the petitioner has not signed on the paper of Jimmenama and as such the petitioner deserves sympathetic consideration to which learned APP fairly submits that the only allegation against the petitioner is that he opposed the seizing of truck in question.

In the facts and circumstances stated above, the petitioner above named in case of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order, shall be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. III, Gaya in connection with Mahkar P.S. Case No. 16 of 2015, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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