

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.38284 of 2016**

Arising Out of PS.Case No. -73 Year- 2016 Thana -AGAMKUAN District- PATNA

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Ajay Kumar Jha @ Ajay Jha son of Shyamakant Jha Resident of Japla,  
Police Station-Japla, District-Palamu, Jharkhand  
At Present resident of Sunday Bazar, Police Station-Gandhi Maidan,  
District-Bokaro, Jharkhand

..... Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Raghunandan Kumar Singh

For the Opposite Party/s : Smt. Asha Devi

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**CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR**

ORAL ORDER

2      19-09-2016                      Heard Sri Ajay Thakur, learned counsel, who was  
  
assisted by Sri Raghunandan Kumar Singh , learned counsel for  
  
the petitioner and Smt. Asha Devi, learned Additional Public  
  
Prosecutor.

The sole petitioner, apprehending his arrest in  
Agamkuan P.S. Case No. 73 of 2016 registered for the offence  
under Section 419, 420, 467, 120-B of the Indian Penal Code,  
has prayed for grant bail in the event of arrest or surrender.

It was submitted by learned counsel for the petitioner



that petitioner is a licensee and he used to purchase coal on auction and thereafter he was selling the same to other persons. He submits that after purchase he had sold the auction purchased coal to the owner of the truck bearing registration no. JH10AD3627. He submits that while the truck on the basis of requisite paper was being moved from Jharkhand to Ballia (Uttar Pradesh) in the mid way it was intercepted by the police on an allegation that the coal loaded on the truck of Jharkhand was being unloaded on another truck and on this basis it was suspected that it was a case of forgery and driver of the vehicle was apprehended. By way of referring to Annexure – 3 to the supplementary affidavit learned counsel for the petitioner submits that petitioner is a licensee.

In view of the nature of accusation and the fact that petitioner had purchased the said coal on auction which was subsequently sold to the truck owner in question, the court is of the opinion that it is a fit case for extending the privilege of anticipatory bail.

Accordingly, in the event of arrest or surrender within a period of six weeks from today, let the petitioner Ajay Kumar Jha @ Ajay Jha be enlarged on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like

amount each to the satisfaction of learned Additional Chief  
Judicial Magistrate, Patna City, Patna / concerned court in  
connection with Agamkuan P.S. Case No. 73 of 2016 subject to  
the conditions as contemplated under section 438(2) of the Code  
of Criminal Procedure.

**(Rakesh Kumar, J)**

Praful/-

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