

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.25314 of 2016**

Arising Out of PS.Case No. -149 Year- 2016 Thana -DIHRINAGAR District- SASARAM  
(ROHTAS)

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Kanhaiya Singh Son of Parsuram Singh resident of village- Gafuna, P.S.-  
Agrer, District- Rohtas

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Dharmendra Kumar Singh

For the Opposite Party/s : Smt. Indu Bala Pandey

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

2     22-06-2016             Heard learned counsel for the parties.

The petitioner is apprehending his arrest in a case registered for the offence punishable under sections 147, 148, 149, 353, 379, 506 of the Indian Penal Code.

Prosecution case is that the informant seized a Haiwa truck loaded with stones chips. Thereafter 50-60 persons came and took away the loaded haiwa truck from the police camp. It is alleged that on enquiry being made from the local people it was learnt that the petitioner is the owner of seized haiwa truck.

It is submitted by the learned counsel for the petitioner that the petitioner is neither the owner of the seized haiwa truck nor he was present at the spot. A statement has been made in paragraph 6 of the application that the petitioner has no concern

with the Haiwa truck.

Considering the fact that the petitioner is not the owner of the vehicle in question, let the petitioner, abovenamed, be released on provisional bail for a period of four months, in the event of his arrest or surrender before the court below within a period of twelve weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Sub-divisional Judicial Magistrate, Dehri, Rohtas in Dehri P.S.Case No. 149/2016, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

The learned court below will confirm the provisional bail of the petitioner if it is found that the petitioner was not the owner of the vehicle in question on the alleged date of occurrence. If it is found that the petitioner was the owner of the vehicle, then the petitioner will surrender before the learned court below and pray for regular bail.

**(Dinesh Kumar Singh, J)**

Surendra/-

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