

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.50825 of 2016

Arising Out of PS.Case No. -208 Year- 2016 Thana -DURGAWATI District- BHABHUA
(KAIMUR)

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Deepak Pandey

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ajay Nandan Sahay, Advocate.

For the Opposite Party : Mr. Bharat Bhushan, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

3 23-12-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection
with Durgawati P.S. Case No. 208 of 2016 for the offences
instituted under Sections 406, 420 and 120(B)/34 of the IPC.

The prosecution story, in brief, is that the petitioner
being operator of the Weighing Instrument known as
'*Dharmkanta*' issued weighing slip with respect to the goods
loaded on two trucks but when the trucks were re-weighed a
difference of 6040 Kilograms was detected and then the petitioner
fled away from his seat. It is alleged that the petitioner by entering
into conspiracy with the suppliers of the goods issued such false
slips with respect to the goods earlier also and thereby caused
huge loss to the company.

It has been submitted on behalf of the petitioner that the



petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. He has falsely been implicated in the present case. Prior to institution of the present case, a *Sanha* was lodged by the petitioner making allegations against the informant and others. It is further submitted that the petitioner is ready to deposit an amount of Rs. 30,000/- in the court below which shall be subject to final disposal of the case.

On behalf of the State, it has been submitted that the petitioner is named in the F.I.R. and has caused wrongful loss to the informant.

Considering the aforesaid facts and circumstances, it is directed that the petitioner shall deposit an amount of Rs. 30,000/- in the court below which shall be subject to final disposal of the case and on doing so, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Durgawati P.S. Case No. 208/2016 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Kaimur at Bhabua, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)