

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37976 of 2017

Arising Out of PS.Case No. -193 Year- 2017 Thana -ISLAMPUR District- NALANDA
(BIHARSHARIFF)

- =====
1. Ramakant Kumar son of Hari Kisun Paswan, R/O Village Baruna, P.S. Fatuha, District Patna.
 2. Sanjay Kumar @ Karu Kumar @ Sanjiv Kumar, son of late Jawahar Prasad, R/O of Village Shivchak, P.S. Fatuha, District Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Sharma

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 10-08-2017

Heard the learned counsel for the petitioners.

The petitioners seek regular bail in connection with Islampur P.S. Case No. 193 of 2017, registered for the offence punishable under Section 379 of the Indian Penal Code, but subsequently Section 411 of the Indian Penal Code was added.

The case of the prosecution is that while the informant was on patrolling duty and at about 1.30 P.M. when he reached the place near Village Ratanpura situated side by Islampur Ekangar road, the trucks in question which had been seized by the District Transport and Mining Department and had been kept there, were missing from the place. Thereafter, on 20.06.2017 when the police personnel were on duty, they apprehended two trucks bearing No. BR01GA6800 and BR01GA8600 as well as the



drivers of the said truck, namely, Ramakant Kumar and Karu Kumar @ Sanjeev Kumar i.e. the petitioners herein.

It has been alleged that the petitioners had tried to trick the security personnel and take away the truck with a view to avoid prosecution and penalty.

The learned counsel for the petitioner submits that so far as Section 379 of the Indian Penal Code is concerned, no offence is made out since there is no allegation of carrying of any stolen articles. It is further submitted that the petitioner has a clean antecedent and are merely drivers of the trucks in question.

Having regard to the facts and circumstances of the case, I deem it fit and proper to enlarge the petitioner on regular bail.

Accordingly, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned ACJM, Hilsa (Nalanda) in connection with Islampur P.S. Case No. 193 of 2017.

(Mohit Kumar Shah, J)

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