

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31384 of 2017

Arising Out of PS.Case No. -40 Year- 2017 Thana -MUFFASIL District- AURANGABAD

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Piyush Kumar Son of B.N. Sahy, R/o Mohalla- Karma Road, P.S.-
Aurangabad (Town), District- Aurangabad.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh

For the Opposite Party/s : Mr. Sri Nityanand Tiwary

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 13-07-2017

Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in connection with Aurangabad Muffasil P.S. Case No. 40 of 2017 registered under sections 420, 406 and 120B of the Indian Penal Code.

From perusal of the FIR, it appears that the petitioner has introduced the owner of the truck to the informant and on his introduction the informant hired the truck for transportation of the cement. The cement loaded on the truck was sold in the market instead of delivering the same at the destination.

Counsel for the petitioner submits that the owner of the truck, namely, Rahul Kumar and his father have admitted their accountability and they have agreed to pay the cost of the cement



which was sold by them. He further submits that the present petitioner is innocent and he has nothing to do with the act of cheating or fraud. The same is attributed to co-accused Rahul Kumar and his father. He has introduced the owner of the truck in good faith.

Having regard to the nature of allegation against the petitioner, I am inclined to enlarge the petitioner, above named, in the event of the arrest/ surrender within a period of four weeks from today, on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Aurangabad in connection with Aurangabad Muffasil P.S. Case No. 40 of 2017, subject to the condition that bailers of the petitioner should be the close relatives including parents of the petitioner and further subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Anil Kumar Upadhyay, J)

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