

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.48042 of 2017**

Arising Out of PS.Case No. -472 Year- 2014 Thana -SAMASTIPUR MUFFASIL District-  
SAMASTIPUR

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1. Prabhat Kumar, S/o Ram Naresh Rai, R/o Village Jitwarpur Nizamat,  
P.S. Muffasil, Distt.-Samastipur

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Bijay Bhushan Prasad

For the Opposite Party/s : Mr. Ram Priya Saran Singh

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR**  
**MISHRA**  
ORAL ORDER

2      11-10-2017      Heard learned counsel for the petitioner and the learned  
A.P.P. for the State.

The petitioner apprehends his arrest in connection with  
Muffasil P.S. Case No.472 of 2014 registered under Sections 406,  
407, 420, 414, 120(B)/34 of I.P.C. and 7 of E.C.Act.

Accusation is that acting upon a tip of secret information  
from S.D.O. about black marketing of the F.C.I. grain loaded on  
trucks the Block Supply Officer raided near the premises of  
Kailash Auto Mobile Centre, Jitwarpur, where four trucks were  
found in standing condition and on seeing the raiding party Pawan  
Kumar and Sanjay Kumar tried to flee away but on chase both  
were apprehended. Driver and khalasi of the trucks fled away. In



course of enquiry it was detected that the petitioner though was owner of the truck bearing Registration No.JH-02G-8625 on which about 4 quintals rice kept in 20 bags were recovered and other trucks were also found loaded with bags of rice.

Learned counsel for the petitioner submits that the petitioner has been made accused in this case being the owner of the truck bearing Registration No. JH-02G 8625 but the petitioner is not the owner of the said truck rather owner of the truck is Raghunath Rai which would appear to the information given by the D.T.O., Hazaribagh (Annexure-3 to the petition.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the S.D..J.M., Samastipur, in connection with Muffasil P.S. Case No.472 of 2014 subject to the conditions laid down under Section 438(2) Cr.P.C.

**(Rajendra Kumar Mishra, J)**

AnilKrSinha/-

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