

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.1069 of 2017

Arising Out of PS.Case No. -404 Year- 2016 Thana -BARACHATTI District- GAYA

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Dhananjay Kumar, Son of Chandardeo Yadav, resident of Village-
Muwarakpur, Police Station- Belaganj, District- Gaya.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Manish Kumar No-2, Advocate.

For the Opposite Party : Mrs. Renu Kumari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-02-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since 09.10.2016
in connection with Barachatti P.S. Case No. 404 of 2016 for the
offences instituted under Sections 420, 467, 468, 471, 414 and
120(B) of the IPC.

The prosecution story, in brief, is that during checking of
the vehicle, the informant found that one ton seven hundred sixty
Kg. of H.R. Coil was loaded on the vehicle on which Invoice
Book was made in the name of Maa Tara Steel, Chas, Bokaro.
Invoice weight was quite false and it was found excess loading.
Therefore, the informant went to Bhagahar Barachatti for getting
accurate weight from *Dharam Kanta*. No original paper has been



shown to the police though all papers are Xerox copies only. Besides 1760 Kg. Iron's Chadra, 2820 Kg. Iron's Chadra was also loaded extra.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 09.10.2016 and the charge sheet has been submitted in the present case. There is no allegation of tampering of the witnesses alleged against the petitioner. He has falsely been implicated in the present case due to mistake of fact. It is a case of moving of commercial vehicle with overweight/overload.

On behalf of the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released 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 learned A.C.J.M., Sherghati, Gaya, in connection with Barachatti P.S. Case No. 404 of 2016.

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(Sudhir Singh, J)

