

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.8841 of 2017**

Arising Out of PS.Case No. -60 Year- 2010 Thana -BIHTA District- PATNA

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Kundan Singh son of Sri Amrendra Singh Resident of Village - Jamaur,  
P.S. Jamaur, District - Aurangabad.

.... .... Petitioner/s

Versus

The State of Bihar.

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

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**Appearance :**

For the Petitioner/s : Mr. Birendra Kumar

For the informant : Mr. Hemant Kumar Srivasava

For the State : Dr. Rabindra Kumar, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**  
**ORAL ORDER**

2      20-03-2017                      Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in Bihta P.S. Case No.60 of  
2010 instituted for the offence under Sections 406, 120(B)/34 of  
the Indian Penal Code.

It is submitted on behalf of the petitioner that he is  
neither owner nor driver of the truck. He has been merely  
implicated as a conspirator.

In the written report, it is alleged that iron rod was  
sent by the informant to one Shambhu Sharan Sharma, transporter  
of Rajdhani Transport Service who had provided the truck but till  
14.3.2010 the iron rod did not reach its destination. There was no  
trace of the truck and its driver.



It is alleged that the petitioner in conspiracy with others committed criminal breach of trust.

From the written report itself, it appears that the petitioner was neither owner nor driver of the truck. He has been made accused merely that he in conspiracy of other accused committed criminal breach of trust.

Petitioner is said to be in custody since 16.12.2016.

Considering the aforesaid facts and circumstance, the prayer for bail of the petitioner is allowed. 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 learned A.C.J.M., Danapur, in connection with Bihta P.S. Case No. 60 of 2010, subject to the condition that both the bailors will be the close relatives of the petitioner.

**(Sanjay Priya, J)**

Ravi/-

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