

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.842 of 2017

Arising Out of PS.Case No. -87 Year- 2016 Thana -NIRMALI District- SUPAUL

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Md. Mintullah, son of Shri Abdul Matin, resident of Village- Hata Tola,
P.O.- Ganpatganj, P.S.- Raghobpur, District- Supaul. Petitioner

Versus

The State of Bihar. Opposite Party

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Appearance :

For the Petitioner : Mr. Amrit Abhijat, Advocate

For the Opposite Party : Mr. Braj Kishore Prasad (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 16-01-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in connection
with Nirmali P.S. Case No. 87 of 2016, registered for the offences
punishable under Sections 406, 420, 120/B/34 of the Indian Penal
Code.

Allegedly, *Patua* was loaded on vehicle No.
BR01GC/2326 Tata D.C.M. valued at Rs. 3,34,600/- but the said
Patua was not reached at the destination and on inquiry it reveals
that the driver and the owner of the said vehicle being in collusion
have sold the articles and the name of the owner was revealed as
Surendra Yadav of Patna, during investigation the said driver was
caught and he disclosed in his confessional statement that the
truck was registered in the name of this petitioner and the amount
of said *Patua* was deposited in the loan account of the owner of
the vehicle.



Submission is of false implication and that no amount has been deposited in the loan account of the vehicle. The informant has compromised the case with the driver and he has been released on bail on the basis of compromise and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. opposes the prayer of pre-arrest bail.

In the facts and circumstances as stated above, considering that in the confessional statement of co-accused the name of the petitioner has transpired and that co-accused has already been released on bail on the basis of compromise and, as such, the petitioner in the event of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall 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 S.D.J.M., Birpur, District Supaul, in connection with Nirmali P.S. Case No. 87 of 2016, subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

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