

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16468 of 2017

Arising Out of PS.Case No. -561 Year- 2016 Thana -SHERGHATI District- GAYA

=====

Deepak Kumar , S/o Ravindra Prasad Singh , C/o J.S.A. U.T.O. Electric Works Bhanpuri Raipur P.S. Raipur, Distt - Raipur, State - Chhatisgarh owner of the Truck No. CGO 4 dl - 0181.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad

For the Opposite Party/s : Dr.Mrityunjaya Kumar Gautam

=====

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 06-07-2017 Heard Sri Raj Kishor Prasad , learned counsel for the petitioner and Dr. Mrityunjay Kumar Gautam, learned Additional Public Prosecutor.

The petitioner, who is the owner of the truck bearing registration no. CGO4 DL-0181 has approached this court with a prayer to grant bail in the event of his arrest or surrender in Sherghati P.S. Case No. 561 of 2016 registered for the offence under Section 414, 420, 467, 468, 471 of the Indian Penal Code , Section 33 and 34 of the Forest Act and Section 4/ 40 of the B.M.M.C. Rule.

It was submitted by learned counsel for the petitioner that petitioner is a resident of Chattisgarh and his truck was intercepted by Police loaded with coal. It has been argued that



save and except the fact that petitioner is the owner of the vehicle, nothing is there to connect the petitioner in the present case .

Dr. Mrityunjay Kumar Gautam, learned Additional Public Prosecutor has opposed the prayer for grant of anticipatory bail, however considering the fact that the truck loaded with coal was intercepted and petitioner is a resident of other State, only on the ground that he is the owner, there is no reason to refuse the prayer for grant of anticipatory bail.

Accordingly, in the event of arrest or surrender within a period of six weeks from today, let the petitioner Deepak Kumar be enlarged on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Sherghati Gaya / concerned court in connection with Sherghati P.S. Case No. 561 of 2016 subject to the conditions as contemplated under section 438(2) of the Code of Criminal Procedure, 1973.

(Rakesh Kumar, J)

Praful/-

U		T	
---	--	---	--

