

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52211 of 2017

Arising Out of PS.Case No. -438 Year- 2017 Thana -MOHANIA District- BHABHUA (KAIMUR)

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Mosam Khan, son of Din Mohammad.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Avanish Kumar Singh

For the Opposite Party/s : Mr. Md. Ansarul Haque

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA

ORAL ORDER

2 08-11-2017 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Mohania P.S. Case No. 438 of 2017, registered under Sections
418, 419 and 420/34 of the Indian Penal Code.

The accusation is that, in course of patrolling duty on
11.08.2017, several trucks were found overloaded at Mohaniya
Chouck including the three trucks of the petitioner and the drivers
of the trucks of the petitioner were also apprehended.

Learned counsel for the petitioner submits that, in fact,
petitioner is the owner of three trucks as detailed in the F.I.R.,
which were driven by the drivers and they loaded the materials
from the Transport and he has no knowledge about the
overloading materials. In fact, petitioner has deposited



Rs.1,76,300/- as penalty imposed by the Government authority, which would appear from annexure 2 series.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Kaimur at Bhabhua, in connection with Mohania P.S. Case No. 438 of 2017, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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