

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51902 of 2018

Arising Out of PS. Case No.-206 Year-2018 Thana- AURANGABAD TOWN District-
Aurangabad

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1. Suryadayal Yadav, Son of Sri Rajendra Yadav, resident of Village- Dularbigha (Garh Par), P.S.- Deokund, District- Aurangabad.
 2. Anup Kumar @ Anuj Kumar, Son of Shri Parmeshwar Yadav, resident of Village- Amarpura, P.S. Rafiganj, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha
For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 20-09-2018 Learned counsel for the petitioners is present. No one appears for the State.

The petitioners in the present case are seeking regular bail in connection with Aurangabad (Town) P. S. Case No. 206 of 2018 registered for the offences punishable under Sections 420, 379, 120(B), 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that petitioner no. 1 is the driver whereas the petitioner no. 2 is cleaner of the truck in question. The allegations against the petitioners are that they had loaded 270 quintals wheat in 540 bags on the truck which was to be unloaded in the godown at Aurangabad, however, the petitioner no. 1 who happens to be the driver of the vehicle gave a telephonic call to



the informant that while he had gone to his village after parking the vehicle near the Pandepur Petrol Pump on the G.T. Road, and the cleaner (petitioner no. 2) was there, the vehicle has been taken away with loaded wheats. On this the F.I.R. has been lodged against these petitioners on suspicion that they have connived and conspired to take away the vehicle with loaded wheats.

Learned counsel for the petitioners submits that no recovery has been made from the possession of these petitioners, till date nothing incriminating has been recovered from their house and they are in custody since 09.07.2018.

In the given facts and circumstances of the case wherein these petitioners are said to be working as driver and cleaner on the vehicle which has been stolen away, and that the petitioners have no criminal antecedents, let the petitioners Suryadayal Yadav and Anup Kuma @ Anuj Kumar be released on bail on furnishing bail bonds of Rs. 15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Aurangabad (Town) P. S. Case No. 206 of 2018, subject to the condition laid down under Section 437 (3) Cr.P.C.

(Rajeev Ranjan Prasad, J)

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