

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.24665 of 2018

Arising Out of PS. Case No.-135 Year-2017 Thana- MAINATAND District- West Champaran

Salamgir Khan @ Chand Khan, Son of Late Sahzid Khan, Resident of Village- Kanth Chhapra, P.S.- Pipra, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amarendra Nath Verma

For the Opposite Party/s : Mr. Sri Rajesh Kumar

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 25-04-2018 Heard the learned counsel for the petitioner and the State.

The petitioner seeks bail in anticipation of his arrest in connection with Mainatand P.S. Case No. 135 of 2017 dated 04.11.2017 instituted for the offences under Sections 414, 120B and 34 of the Indian Penal Code read with Section 110 of the Customs Act.

A truck carrying pieces of Khaira wood and rice was intercepted. The driver and cleaner of the truck disclosed that the petitioner is the owner of the articles which were found to be loaded on the truck.

Learned counsel for the petitioner however has submitted that the implication of the petitioner is only on the basis of the statement made by the driver and the cleaner of the truck. In fact, even the name of the petitioner has wrongly been stated. The address of the petitioner is also incorrect. Learned counsel for the



petitioner has submitted that he does not own the seized items; rather the items have been claimed by one Ram Kavita Singh who has sought the release of the aforesaid items on the ground that the wood pieces were filled after due permission from the authorities and the rice also was not the stolen property.

Considering the aforesaid facts, the transporter viz. Santosh Kumar has been allowed anticipatory bail by a Bench of this Court.

The petitioner does not have any criminal antecedent.

The petitioner above named is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, West Champaran at Bettiah in connection with Mainatand P.S. Case No. 135 of 2017, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

Krishna/-
Rahul Mishra

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