

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10036 of 2016

Arising Out of PS.Case No. -568 Year- 2015 Thana -DANAPUR District- PATNA

=====

Kumar Rajesh Shankar Son of late Tribhuvan Prasad Singh resident of
M.M. Colony Beur , P.s Beur ,District Patna,.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

with

Criminal Miscellaneous No.12113 of 2016

Arising Out of PS.Case No. -568 Year- 2015 Thana -DANAPUR District- PATNA

=====

Ashok Kumar Singh Son of Sri Nageshwar Singh, resident of Irgu Toli,
Kailash Nagar Lane, P.S.- Shukhdeo Nagar, District- Ranchi (Jharkhand)

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

(In Cr.Misc. No.10036 of 2016)

For the Petitioner/s : Mr. Chandra Shekhar Singh

For the Opposite Party/s : Mr. Veena Kri.Jaiswal(App)

(In Cr.Misc. No.12113 of 2016)

For the Petitioner/s : Mr. Uma Kant Tiwary

For the Opposite Party/s : Mr. Amrendra Prasad (App)

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

14 02-01-2018 Both petitions arise out of the same case i.e. Danapur P.S.

Case No. 568 of 2015 registered under Sections 406 & 34 of the

Indian Penal Code in which, petitioners apprehend their arrest and

accordingly, they are being heard and disposed off by this common

order.

Heard learned counsels for the petitioner and the State.



The petitioner in Cr. Misc. No. 10036 of 2016 is the Proprietor of M/S Mata Rani Packers & Movers and the petitioner in Cr. Misc. No. 12113 of 2016 is owner of the truck.

As per allegation in the written report, the informant booked his household articles with M/S Mata Rani Packers & Movers and, the articles had to be delivered at Ranchi from Patna on 02-10-2015. It is alleged that three persons came to his house and packed his entire articles including motorcycle and other necessary papers and loaded the same on the truck bearing registration No. JHO1AF 6181 but the household articles did not reach the destination. Thereafter, the informant has suspicion that the truck owner and the owner of M/S Mata Rani Packers & Movers have misappropriated the entire household articles. The informant has after non delivery of the article filed written report in the police station on the basis of which, the instant case has been registered on 05-10-2015.

It appears from Annexure-3 that thereafter, a case was registered on 10-10-2015 by son of the truck owner. The Police after investigation, found the aforesaid case to be false. Thereafter, the owner has filed protest petition. In this manner, it is apparent from the FIR itself that the household articles, booked by the informant has not been delivered. The informant has alleged that these petitioners have misappropriated the household articles. The case lodged by owner of the truck was found to be false by the police.

In such circumstances, this court is not inclined to grant



anticipatory bail to the petitioners. Accordingly, prayer for anticipatory bail is rejected.

The petitioners are directed to surrender in the court below and seek regular bail which will be considered by the court below and disposed off in accordance with law without being prejudiced by this order.

(Sanjay Priya, J)

A.K.V./-

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

