

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62071 of 2018

Arising Out of PS. Case No.-125 Year-2018 Thana- GRIYAK District- Nalanda

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Siyaram Prasad @ Siyaram Yadav Son of Lila Yadav@ Lalo Yadav Resident
of Village- Dadpur, P.S. Fatehpur, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binay Kumar

For the Opposite Party/s : Mr. Matloob Rab

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 08-10-2018 Heard learned counsels for the parties.

The petitioner is apprehending arrest in a case registered
for the offences punishable under Section 394 of the IPC.

The prosecution case as per the written report of Shanti Lal
dated 01.04.2018 submitted to SHO, Griyak Police Station is to
the effect that on the same day at about 10.15 P.M. while the
informant being the truck driver along with the cleaner of the
truck bearing Truck No. CG04JD-7380 after loading rice from
Biharsharif under Nalanda District proceeded for Chattisgarh,
but at 11.00 P.M. near the village Dhaurahi one Scorpio vehicle
overtook the truck and obstructed the truck while barricading it
by the said Scorpio vehicle and did not allow the informant to
proceed, subsequently the two persons came out of the Scorpio
vehicle, got in the said truck, over powered the informant and
the cleaner and took the truck to Hisua and abandoned the



informant and the cleaner and took away the truck in question. With the aforesaid accusation the FIR was registered against four unknown persons and the name of the petitioner sprang up on the confession of the co-accused Sanjay Sao.

It is submitted by learned counsel for the petitioner that only on confessional statement of co-accused Sanjay Sao the name of the petitioner has surfaced. It is further submitted that the co-accused Snajay Sao has been granted bail by a Bench of this Court in Cr. Misc. No. 33259 of 2018. It is further submitted that there is no recovery from the petitioner. Statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the petitioner's name sprang up in the confessional statement of co-accused.

Considering the fact that the impugned order suggests that the petitioner was named by co-accused Sanjay Sao who has been granted bail, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Nalanda in connection with Griyak P.S. Case No. 125 of 2018 subject to the conditions laid



down in Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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