

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60290 of 2018

Arising Out of PS. Case No.-388 Year-2017 Thana- FATUA District- Patna

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Mantoo Kumar S/o Naresh Prasad Singh, resident of Village- Sonaru, Ward
No. 23, P.S.- Fatuha, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 12-12-2018 Heard the learned counsel for the petitioner and

the State.

The petitioner seeks bail in anticipation of his
arrest in connection with Fatuha P.S. Case No. 388 of 2017
dated 04.09.2017 instituted for the offences under Sections
406 and 379 of the Indian Penal Code.

It appears that out of several loaded vehicles with
sugar which were unloaded at Fatuha and which were
destined to be sent to the company of Rajesh Agrawal, have
been diverted to another entity.

It has been alleged in the F.I.R. that about 78
loaded vehicles were not to be found. Later, during the
course of investigation, it came to light that the petitioner by



showing a fake bill beguiled the truck driver to deliver the consignment at Jagdish Bhandar. The aforesaid information could be gathered only on the statement recorded by the driver of the aforesaid vehicle.

Learned counsel for the petitioner has submitted that the fact of the matter is that approximately 163 bags of sugar was transported from Raipur to Fatuha. Out of the aforesaid 163 bags, only 85 bags were found in the godown whereas 78 bags were missing. It was only during the course of search that it came to light that the other 78 consignments also were dispatched at the instance of one Jaipal who was designated as the custodian of the consignment.

During the course of investigation, the fake bill said to have been presented by the petitioner has not been produced. The petitioner denies of having diverted any vehicle towards another destination.

The petitioner does not have any criminal antecedents and Jaipal, who is responsible for wrong delivery of the consignment, has been granted anticipatory bail by a



Bench of this Court.

Considering the aforesaid facts, 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 Sri S.K. Chandrayavi, J.M.-1st Class, Patna City, District-Patna in connection with Fatuha P.S. Case No. 388 of 2017, subject to the conditions as laid down under Section 438 (2) Cr.P.C.

(Ashutosh Kumar, J)

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