

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11591 of 2018

Arising Out of PS.Case No. -445 Year- 2017 Thana -HAJIPUR SADAR District-
VAISHALI(HAJIPUR)

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Arjun Kumar, son of Kapil Paswan, Resident of Mohalla- Chauhatta
(Chhipitola), P.S. Hajipur Town, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bela Singh

For the Opposite Party/s : Mr. Sri Sanjay Kumar Pandey

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 30-03-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Hajipur Sadar
P.S. Case No. 445 of 2017 for offences punishable under Sections
379 and 411 of the Indian Penal Code.

The prosecution case, as lodged by the truck driver, is
that while he had loaded his truck along with his khalasi and was
taking tea in a line hotel and slept by the road side, some
miscreants have taken away the truck with loaded iron goods.

It has been submitted by the learned counsel for the
petitioner that he is innocent, not named in the F.I.R., bears no
criminal history and one of the co-accused has been granted the



privilege of bail by a coordinate Bench of this Court in Cr. Misc. No. 59553 of 2017 on 11.01.2018 who was also found in the said truck along with the petitioner at the time of recovery. He submits that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali in connection with Hajipur Sadar P.S. Case No. 445 of 2017, subject to the conditions that:

- (1) One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.
- (2) Petitioner will appear before the learned court below during trial as and when required and failure to appear on two



consecutive dates without assigning any
reason will entail cancellation of his
bail bonds.

(Nilu Agrawal, J)

Devendra/-

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