

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.92 of 2019**

Arising Out of PS. Case No.-222 Year-2018 Thana- BHARGAMA District- Araria

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1. Dinesh Singh @ Dinesh Paswan, Son of Late Dukkha Paswan @ Hurba Paswan
 2. Sonu Kumar Sharma @ Sonu Sharma, Son of Jagarnath Sharma, Both are Resident of Jhuman Chowk, Ward No. 1, Paswan Tola, Police Station- Fobesgunj, District- Araria.

... .. Petitioners

Versus

1. The State Of Bihar
2. Sanjay Kumar Bhagat, son of Raj Kumar Bhagat, resident of village Raghunathpur, Dakshin, P.S. Bhargama, Dist. Araria

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr.Ambrish Rahul
For the Opposite Party/s : Mr.Ajay Kumar -2

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER**

3 08-03-2019 Petitioners seek bail in anticipation of their arrest in connection with Bhargama P.S. Case No. 222 of 2018, registered for the offences punishable under Sections 406, 420 and 34 of the Indian Penal Code.

Allegation against the petitioners, who are transporters, is that the informant booked Maize worth Rs.3,04,095/- for carrying the same to Karnal in the State of U.P. but the same has not reached there and, as such the petitioners cheated the informant.

Submission of learned counsel for the petitioners is that petitioners are small transporters and they have sent the



consignment by a truck and as such they cannot be liable for the loss caused to the informant.

Heard learned APP and learned counsel for the informant, who has opposed the prayer for anticipatory bail stating that his consignment has not reached to the destination.

Having heard both sides and in the facts and circumstances, as stated above, this application is disposed of with a direction to the petitioners to surrender in the court below within a period of eight weeks and pray for regular bail, which shall be considered on the basis of materials available on record and if the petitioners are ready to pay back the amount, even in instalment, the court below will consider the same and will pass an appropriate order.

(Vinod Kumar Sinha, J)

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