

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5769 of 2019

Arising Out of PS. Case No.-136 Year-2013 Thana- BALIYA District- Begusarai

Manoj Rai, son of Sri Jai Rai R/o village-Kaitholia, P.S- Bidupur, District-
Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pranav Kumar Jha

For the Opposite Party/s : Mr. Pawan Kumar Chaurasia

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 28-03-2019 The petitioner apprehends his arrest in connection with
Balua P.S. Case No. 136 of 2013 registered under Sections 406
and 420 of the Indian Penal Code.

Allegation as per FIR is that the informant has booked
245 packets of maize from Begusarai to Darbhanga but the
accused persons did not supply the goods of the informant at its
destination and it appears that later on truck was found at the
Sasural of petitioner but the goods were not found loaded on the
truck.

Submission of learned counsel for the petitioner is that
owner of the truck and the proprietor of Nav Durga Transport
have already been granted privilege of anticipatory bail,
mentioned in para-13 of this application, by co-ordinate
Benches of this Court vide order dated 21.10.2013 passed in Cr.



Misc. No. 43870 of 2013 and order dated 10.04.2015 passed in
Cr.Misc. No. 41918 of 2014 and petitioner is only cleaner.

Heard learned APP also who has opposed the prayer of
anticipatory bail on the ground that petitioner is driver which
will appear from the FIR itself and further the truck was found
at the Darbaja of the Sasural of petitioner.

Having heard both sides and in view of the facts and
circumstances, as stated above, I am not inclined to grant
privilege of anticipatory bail to him rather he should surrender
within a period of six weeks from the date of receipt of a copy
of this order and make prayer for regular bail, which shall be
considered and disposed of on its own merit without being
prejudiced by this order.

(Vinod Kumar Sinha, J)

sujit/-

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