

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.9170 of 2019**

Arising Out of PS. Case No.-87 Year-2017 Thana- JHANJHARPUR District- Madhubani

1. MD. ANWAR S/o Late Shahbuddin R/o Village- Nemuwa, P.S- Supaul
2. Md. Mintu S/oMd. Zeyaul R/o Village- Nemuwa, P.S- Supaul

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Shailendra Kumar Jha  
For the Opposite Party/s : Mr.Rita Verma

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

3      24-04-2019                      This application, for grant of anticipatory bail, arises out of Jhanjharpur (Araria Sangram) P.S. Case No. 87/17, disclosing offences under Section 379/34 of the Indian Penal Code.

Allegation as per F.I.R. is that two truck of the informant bearing nos. BR06GR-3204 and BR-01GA-3343, loaded with maida from flour mill Pandaul, were carried to Amta, Kolka by the drivers (petitioners), who parked the trucks of the informant in front of Bismillah Jam Jam Hotel at National Highway -57 on 30.07.2017 and the petitioners and the owner of the aforesaid hotel took out two new wheels of the trucks, 770 litres of oil from the trucks and also took away Rs. 1,55,000/- and fled away.



Submission of learned counsel for the petitioners is that they are drivers of the trucks and have falsely been made accused in this case, as there was some dispute between the petitioners and the informant with regard to payment of wages and due to which, this false case has been lodged and further there is nothing to show that the petitioners have any role to play in the alleged occurrence.

Heard learned A.P.P. also.

Having heard both sides, considering the facts and circumstances and the nature of accusation, I am not inclined to grant the privilege of anticipatory bail to the petitioners rather they should surrender and make prayer for regular bail and if any such application is filed, the court below shall dispose of the same on the basis of materials available on record, if possible on same day, without being prejudiced by the order of this Court.

**(Vinod Kumar Sinha, J)**

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