

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29513 of 2019

Arising Out of PS. Case No.-264 Year-2018 Thana- AKBARPUR District- Nawada

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Amar Jyoti, Son of Shrawan Kumar, Resident of village- Panchgama, Police
Station- Akbarpur, District- Nawada.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Sunil Kumar Singh No.10

For the Opposite Party/s : Mr.Shyameshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

7 08-08-2019

This application, for grant of anticipatory bail, arises out of Akbarpur P.S. Case No. 264 of 2018, disclosing offences under Sections 419, 420, 406, 506 and 34 of the Indian Penal Code.

Prosecution case in short is that informant was known to petitioner for last 4-5 years and the petitioner told him that he is in need of 50 trucks and in course of that informant introduced one Shyam Kumar to the petitioner and initially an agreement was made for four trucks. Thereafter the petitioner again contacted the informant to make available 50 trucks, for which an agreement was made for 50 trucks. Since the petitioner had not time, informant anyhow managed to make available 20 trucks and the payment was to be done to the truck owners from the account of the petitioner. For three months



payment was made but thereafter, the petitioner stopped to make payment, then, the owner of the trucks contacted the petitioner Amar Jyoti, who told them that he would talk to the informant – Shailendra Yadav. After getting knowledge of this, the informant called out truck owners at Nawada, then petitioner threatened him to kill. Thereafter, the informant learn that the petitioner had sold all those trucks. Apart from that it appears that petitioner is an accused in eight more cases.

Submission of learned counsel for the petitioner is that he has falsely been implicated in this case and no agreement was entered into with respect of 50 trucks and so far 4 trucks are concerned, he has already purchased the same from the owner of the trucks

Learned counsel for the State opposed the prayer for bail.

In this case notice was issued to the informant, however, a report has been submitted by the Gram Pradhan, which shows that petitioner is not available and has left the village.

Having heard both sides, considering the facts and circumstances as well as the fact that petitioner is an accused several other cases, I am not inclined to grant the privilege of



anticipatory bail to the petitioner rather petitioner may surrender before the court below and make prayer for regular bail and if any such application is filed, the court below will dispose of the same on the merit of the case, without being prejudiced by this order.

This application is, accordingly, dismissed .

(Vinod Kumar Sinha, J)

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