

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29816 of 2019

Arising Out of PS. Case No.-44 Year-2019 Thana- KUDRA District- Kaimur (Bhabua)

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SUMIT KUMAR Son Krapal Singh Resident of Village - Dalmeer Khan,
Samsabad, Bajidpur, Farukhabad, P.S.- Shamsabad, Distt - Farukhabad.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kumar Dharendra Pratap Singh

For the Opposite Party/s : Mr.Parmeshwar Mehta

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 07-05-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Kudra P.S. Case No. 44 of 2019 for the offence under Sections 406 and 420 of the Indian Penal Code.

Allegedly, rice worth Rs.8,49,200.00 was dispatched by the informant's company for being delivered to someone in Sitapur (U.P.). The consignment, however, did not reach the place for which it was dispatched. The informant has expressed his suspicion that the owner of the truck might have been responsible for misappropriating the rice.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner himself is the truck owner and his truck is missing since 27.01.2019, in respect of which an



information had already been given to the Delhi police. In support of the aforesaid submission, my attention has been drawn to Annexure-2 of this application.

It is evident from the stand taken on behalf of the petitioner and the averments made in this application seeking anticipatory bail that the petitioner has not lodged any First Information Report relating to theft of his truck. According to the petitioner, his truck is still traceless. Such stand cannot be accepted.

This application is accordingly rejected.

The petitioner is directed to surrender before the Court below within a period of four weeks from today and seek regular bail, if so advised. If he does so, his application for regular bail shall be considered by the learned Court below on its own merit without being prejudiced by rejection of present application for grant of anticipatory bail.

(Chakradhari Sharan Singh, J)

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