

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32407 of 2019

Arising Out of PS. Case No.-1401 Year-2017 Thana- GAYA COMPLAINT CASE District-
Gaya

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Avinash Chandra Son of Late Ram Bindu Thakur Resident of Jaitpur Colony,
Maripur, P.S.- Kaji Mahmadpur, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar
3. Arvind Kumar S/o Late Paras Nath Singh Proprietor Baba Baidhnath
Enterprises Office B.3 C.D. Center, Bokaro, District- Bokaro (Jharkhand).

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nivedita Nirvikar
For the Opposite Party/s : Mr.Binod Kumar

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 15-05-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in a case
registered under Sections 406, 420 and 120(B)/34 of the Indian
Penal Code.

Petitioner is said to have got two trucks of the
complainant transferred in his name taking the officials of the
District Transport Office, Gaya in collusion.

It is submitted by learned counsel for the petitioner
that no such occurrence as alleged ever took place. Petitioner



has been falsely implicated in the case with ulterior motive. As a matter of fact, petitioner happens to be owner of the Truck Nos. NL08D0608 and NL08D0611. He had accorded the aforesaid trucks to the complainant who happens to be contractor of the I.O.C. for transporting LPG cylinders. In order to grab the aforesaid trucks of the petitioner, complainant had illegally detained the same. For the release of the aforesaid trucks, petitioner has filed a petition before CJM, Muzaffarpur and got the aforesaid trucks released in his favour through the Court. Petitioner has earlier filed a case under Sections 406, 420 and 120(B) of the Indian Penal Code against the complainant and his brother prior to the case under hand regarding the aforesaid detention of his trucks and misappropriation of his money by them. Petitioner happens to be owner of the aforesaid trucks. Entire allegation levelled against the petitioner is wrong and concocted. Petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-IV, Gaya



in connection with Complaint Case No. 1401 of 2017, subject to
the condition as laid down under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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