

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33179 of 2019

Arising Out of PS. Case No.-448 Year-2014 Thana- PURNEA SADAR District- Purnia

1. RAJESH YADAV Son of Sri Nageshwar Yadav @ Namesh Yadav Resident of Village - Kundar Gopalpur, P.S. and District - Lakhisarai at present residing at Ramu Khatal, Mihijamj Jamtara, P.S. - Jamtara, District - Jamtara (Jharkhand).
2. Nageshwar Yadav Son of Mahavir Yadav Resident of Village - Kundar Gopalpur, P.S. and District - Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prakash Mahto

For the Opposite Party/s : Mr.Dashrath Mehta

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL ORDER

3 21-05-2019 Heard learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

The petitioners apprehend their arrest in connection with Purnea Sadar P.S. Case No. 448/2014 registered for the offence punishable under Sections 406/420/120B of the Indian Penal Code.

Learned counsel for the petitioners submits that though the owner of the truck on which the maize is alleged to have been loaded and which is said to have been misappropriated by the petitioner, has formed the substance of the allegations on the



basis of which the petitioner is facing prosecution, the informant/owner of Puran Devi Trading Company has not produced a chit of paper or the Challan to indicate that the said maize was loaded on his truck. He, however, submits that if any such Challan is produced then the petitioner is willing and ready to re-pay back the valued amount of the maize to the said Challan holder. He thus submits that in the wake of such undertaking given by the petitioner, he may be extended the privilege of pre-arrest bail.

Considering the aforementioned undertaking given by the petitioner and there being no Challan on record to indicate that the maize in question had been loaded on the petitioner's truck and also because the petitioner is not having any criminal antecedent, let the petitioners above named be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Purnea, in connection with Purnea Sadar P.S. Case No. 448/2014, subject to



the conditions as laid down under Section 438 (2) of the
Cr.P.C.

(Anjana Mishra, J)

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