

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40359 of 2019

Arising Out of PS. Case No.-704 Year-2016 Thana- NALANDA COMPLAINT CASE
District- Nalanda

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Yamuna Prasad @ Jamuna Prasad Son of Shiv Pujan Ram Resident of Village
- Gangapur, P.S.- Balaun, District - Kaimur at Bhabua.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kaushlendra Kumar Son of Late Sagar Mahto, Resident of Village -
Kasimchak, P.S.- Dip Nagar, District - Nalanda.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Jha

For the Opposite Party/s : Mr.Arun Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL ORDER

2 02-07-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

In this case, the petitioner is seeking anticipatory
bail in connection with Complaint Case No. 704C/2016
registered for offence punishable under sections 406, 323 and
504 of the Indian Penal Code.

Allegation has been made that on account of
accident, a tractor along with trailer was seized by the police,
but the police has returned the tractor, not trailer.

Allegation has been made that they have sold the
trailer prejudiced to the interest of the complainant.

The learned counsel for the petitioner submits that



in fact it is the complainant who has illegally lifted the trailer from the police thana, for that, a criminal case has already been lodged against him and in retaliation, the complaint case has been filed.

Looking to the facts and circumstances of the case, the prayer for bail of the petitioner is allowed and he, in the event of arrest or surrender before the court below within six weeks from today, is directed to be enlarged on anticipatory bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-VI, Nalanda at Biharsharif in connection with Complaint Case No. 704C/2016, subject to the conditions as laid down under section 438 Cr. PC and also subject to the condition that one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court. The petitioner will not induce any witness or tamper with the evidence. The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(Shivaji Pandey, J)

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