

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49095 of 2019

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

KISHAN LAL, Male, aged about 45 years, Son of Jagat Singh @ Jagata Narayan, Resident of Village - Nagala Khair Band, Police Station - Kotwali Farrukhabad, District- Farrukhabad U.P.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar

For the Opposite Party/s : Ms.Anita Kumari Singh

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 30-09-2019 Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Sections 406 and 120 of the Indian Penal Code.

Informant is supervisor of Transport company who has alleged that rice containing in 617 bags were purchased from Hari Om Mini Rice Mill and same was sold to Sushila Industry at the cost of Rs.8,49,201/- which was to be delivered by truck No.UP 76K-7520 and the petitioner who is driver of said truck was asked to unload the rice at the given destination but subsequently it was informed that said rice never reached its



destination and it was sold in midway.

Petitioner is driver of the truck and it has been submitted that he has been falsely implicated in this case and has no role in loading and unloading and same is done on the direction of owner of the truck or transport agency and he only carried out their order. Petitioner has got no criminal antecedent and is in custody since 09.02.2019.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Kudra P.S. Case No. 44 of 2019, G.R. No.198 of 2019 with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case,



prosecution will be at liberty to move for cancellation of
bail of the petitioner.

(S. Kumar, J)

Sanjay/-

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