

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54790 of 2019

Arising Out of PS. Case No.-19 Year-2019 Thana- NARALI KALA KHURD District-
Aurangabad

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VIMLESH KUMAR, aged about 32 years, Male, Son of Dharamraj Singh,
Resident of Village - Mahuari, P.S.- Kochas, District – Rohtas
... Petitioner

Versus

The State of Bihar ... Opposite Party

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Appearance :

For the Petitioner : Mr. Bhaskar Shankar, Adv.
For the Opposite Party : Mr. Sucheta Yadav, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 30-08-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with
Narari Kala Khurd P.S. Case No. 19 of 2019 for the offence
alleged under Section 379 of the Indian Penal Code.

The accusation is that three loaded trucks, including
the truck, bearing registration no. BR-24GB-3167, of the
petitioner, were seized due to over loading of the sand while the
informant, Chowkidar, moved to attend the call of nature, in the
meantime, driver of the petitioner moved from there with the
truck over loaded with sand.

The submission of the learned counsel for the
petitioner is that the petitioner is the owner of the truck, bearing
registration no. BR-24GB-3167, and the same was attached



with transport for carrying the goods. The petitioner had no knowledge about engagement of the truck in carrying the sand and also about moving of the driver engaged by petitioner to drive the truck without consent of the owner. Petitioner has no criminal antecedent.

Learned Additional Public Prosecutor for the State opposes the prayer for pre-arrest bail.

Having regard to the facts and circumstances of the case, let the petitioner, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Narari Kala Khurd P.S. Case No. 19 of 2019 shall be released on pre-arrest bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, II, Aurangabad, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

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