

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61693 of 2019

Arising Out of PS. Case No.-275 Year-2019 Thana- AKBARPUR District- Nawada

ARVIND KUMAR Son of Birju Ray Resident of Village- Naya Tola,
Sabnima, P.S.- Athmalgola, District- Patna (Driver of Vehicle No. HR-55L-
3293).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Nayan

For the Opposite Party/s : Ms.Rina Sinha

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 14-10-2019 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 420, 406, 379, 34 of the Indian Penal Code registered in connection with Akbarpur P.S. Case No. 275 of 2019.

3. It is submitted that the petitioner has been falsely implicated in connection with alleged pilferage of milk from some milk vans including milk van bearing registration no. HR-55L-3293 of which the petitioner is the driver. It is submitted that no complaint has been received either from the originating Samastipur dairy or from the destination Bokaro dairy with respect to shortage in quantity of the milk (19790 litres) transported under challan no. 1209 BD 60 (Annexure-2). It is further stated that the milk van of the same transport company is still being used for transportation of milk from Samastipur dairy to Bokaro dairy. The petitioner claims clean antecedents.

4. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand)



with two sureties of like amount each to the satisfaction of learned ACJM I, Nawada, in connection with Akbarpur P.S. Case No. 275 of 2019, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions:

- i. That one of the bailors shall be a close relative of the petitioner.
- ii. That the petitioner shall not indulge in any similar offence till conclusion of the trial.
- iii. That the petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.
- iv. The petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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