

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60339 of 2019

Arising Out of PS. Case No.-382 Year-2018 Thana- AURANGABAD TOWN District-
Aurangabad

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SANJAY SINGH @ SANJAY KUMAR SINGH Son of Late Amar Bahadur
Singh Resident of Mohalla - Yadunandan Nagar Tifra, P.S.- Sirgitti, District-
Bilaspur, Chhattisgarh

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amit Kumar Jha

For the Opposite Party/s : Mr.Bhanu Pratap Singh

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

2 20-11-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of
Aurangabad Town P.S. Case No. 382 of 2018, disclosing the
offence under Sections 406, 420, 120-B of the Indian Penal
Code.

The petitioner is owner of a truck. It is the case of the
prosecution that the informant had to send a consignment of
paddy to a cold storage in Chhattisgarh. The petitioner's truck
was hired for that purpose. The allegation is that the
consignment did not reach its destination. The informant
inquired about it from the petitioner, whereupon he was told that
the driver was missing with the entire consignment. According



to the petitioner, as communicated to the informant, the driver had fled away after selling the entire consignment. The truck was subsequently recovered.

It is the case of the informant that the petitioner connived with the driver for misappropriation of the entire consignment which was dispatched from Aurangabad for Chhattisgarh.

Learned counsel appearing on behalf of the petitioner has submitted that the allegation against the petitioner is presumptive, inasmuch as, the informant believes that the petitioner might have connived with the driver. The driver, he contends, has so far not returned.

Considering the facts and circumstances and the natural probabilities, in my view, a case for grant of anticipatory bail is made out. This application is allowed.

Let the petitioner, above-named, in the event of his arrest/surrender within six weeks from today in the court below, be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand), with two sureties of the like amount, each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in Aurangabad Town P.S. Case No. 382 of 2018, subject to the condition as laid down under Section 438(2) of the Code of



Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/ Court, as the case may be, as and when required and in the event of failure on his part to appear before the court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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