

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66650 of 2019

Arising Out of PS. Case No.-264 Year-2018 Thana- AKBARPUR District- Nawada

CHHOTU KUMAR @ CHHOTU Son of Sri Dharmendra Kumar @ Prakash
Resident of Village-Pachgawan, P.O.-Chhoti Amawa, P.S.-Akbarpur, District-
Nawada-805121.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satyabir Bharti

For the Opposite Party/s : Mr.Ramchandra Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 23-10-2019 Heard both sides.

The petitioner apprehends his arrest in Akbarpur P.S.
Case No.264 of 2018 registered under Sections 419, 420, 406,
506 and 34 of the Indian Penal Code.

The informant alleged that he got an agreement
executed in his presence between Amar Jyoti and Shyam
Kumar for providing trucks for which he was paid Rs.5,000/-
for each truck. The informant further alleged that Amar Jyoti
had come along with his associates, namely, Chhotu (son of
Prakash), Prakash (son of Dwarika Prasad) and Rakesh (son of
Shiv Kumar). The informant further alleged that another
agreement for providing trucks was also executed between the
informant and Amar Jyoti but after sometime the accused
persons stopped payment of money to the owners of the trucks.



Learned counsel for the petitioner submits that the petitioner is named in the F.I.R. and only allegation against the petitioner that on the date of execution of agreement between the informant and Amar Jyoti, Amar Jyoti had come along with his gang members, namely, Chhotu (son of Prakash), Prakash (son of Dwarika Prasad) and Rakesh (son of Shiv Kumar). Save and except the fact that the petitioner accompanied Amar Jyoti, no other allegation is made against the petitioner. The petitioner is not even a witness of the agreement arrived at between the informant and Amar Jyoti.

Having considered the facts aforesaid, the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 1st, Nawada in connection with Akbarpur P.S. Case No.264 of 2018, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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