

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69870 of 2019

Arising Out of PS. Case No.-377 Year-2016 Thana- BARAUNI District- Begusarai

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SHAMBHU PODDAR S/o Late Banarsi Poddar Resident of Village- Ramdiri
Tola Loverchak, P.S.- Matihani, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sada Nand Roy
For the Opposite Party/s : Mr.Binod Kumar

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 18-12-2019 Heard learned counsel for the parties.

This application for regular bail arises out of Barauni (Refinery) P.S. Case No. 377 of 2016, disclosing the offence under Sections 406, 420, 467, 468, 471 of the Indian Penal Code.

The petitioner, as per the FIR, was driver of a vehicle registered as BR09J-8032. The informant is proprietor of M.S. Roadways. Allegedly, a huge consignment of diesel in various tankers were to be carried from IOC, Barauni to Saharsa Rail. It is alleged that though the drivers of the said vehicles had communicated that the consignments had been delivered and in support thereof they submitted a copy of the challan in Barauni Refinery Terminal, subsequently, it was learnt that the



consignment had not reached their destination. It transpires that similarly circumstanced co-accused Vinay Kumar Rai and Manoj Kumar Rai have been allowed anticipatory bail by this Court by an order dated 28.02.2018, passed in Cr. Misc. No. 12601 of 2018, observing inordinate delay of one month in registration of the FIR. The petitioner is in custody since 11.09.2019 when he had surrendered before the court below.

Considering the fact that similarly circumstanced persons have been allowed anticipatory bail, this application is allowed. Let the petitioner, above-named, 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 CJM, Begusarai in Barauni (Refinery) P.S. Case No. 377 of 2016.

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)

Rajesh/-

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