

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.77645 of 2019**

Arising Out of PS. Case No.-464 Year-2019 Thana- SAHARSA District- Saharsa

Vivek Singh, aged about 33 years, Male, Son of Gopal Singh Resident of Mohalla - Damagoria Calliery, P.O. - Kalyaneshwary, P.S.- Kulti, Distt - Paschim Bardwan, West Wengal.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr.Sanjay Kumar Pandey

For the Opposite Party/s : Mr.Satyendra Narayan Singh

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
**ORAL ORDER**

2      28-11-2019                      Heard learned counsel for the petitioner and  
learned Additional Public Prosecutor for the State.

The petitioner is seeking anticipatory bail in connection with Saharsa Sadar P.S. Case No. 464 of 2019 registered under Sections 406, 409, 420 and 120B of the Indian Penal Code, pending in the court of learned Chief Judicial Magistrate, Saharsa.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case only because he happens to be the owner of the truck in question on which maize (Makka) was loaded by the informant, however petitioner has no criminal antecedent prior to this case.



Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

Considering the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that the petitioner has been falsely implicated in this case only because he happens to be the owner of the truck in question on which maize (Makka) was loaded by the informant in usual course of business. Learned counsel submits that the truck in question along with the driver and Khalasi was intercepted by miscreants, the said truck was booked by one Abhishek Transport and there is no complicity of this petitioner in this case as also that the truck is lying under seizure and the petitioner has got no criminal antecedent, let the above-named petitioner, in the event of his arrest/surrender before the court below within a period of four weeks, be enlarged on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saharsa, in connection with Saharsa Sadar P.S. Case No. 464 of 2019, subject to condition as laid down under Section 438(2) of the Cr.P.C.



i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

**(Rajeev Ranjan Prasad, J)**

Rajeev/-

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