

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.760 of 2020

Arising Out of PS. Case No.-156 Year-2018 Thana- BARHIYA District- Lakhisarai

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Raj Kumar Son of Late Supendra Singh @ Late Shpendra Singh Resident of
Village - Mahrath, P.S.- Halsi, Distt - Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar, Advocate

For the Opposite Party/s : Mr.Arun Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 20-02-2020 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in **Barahiya P.S.**
Case No. 156 of 2018, registered for the offence punishable
under Sections 406, 420 and 379 of the Indian Penal Code.

Prosecution case is that informant's sister namely,
Baby has purchased a truck which was given to the petitioner on
contract of RS. 50,000/- per month. The said vehicle was
brought from Delhi by driver Ranjeet and the same was being
driven by him. It is further alleged that payment for two months
was made to the informant, but thereafter, informant did not
receive any amount from the petitioner. When the vehicle was
demanded by the informant from the petitioner, the petitioner
told him that the said vehicle was parked near a Line Hotel at



village-Dariyapur. On 22.08.2018, the informant went there, but he did not find his truck there.

It is submitted by learned counsel for the petitioner that petitioner has falsely been implicated in this case merely on suspicion. Save and except suspicion, there is nothing against this petitioner. Petitioner is neither the driver nor the contractor. There is no chit of paper available on the record which shows that agreement/contract has been made between the petitioner and the informant.

Considering the facts aforesaid, the petitioner above-named in the event of his arrest/surrender before the court below within a period of six 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 the learned **Chief Judicial Magistrate, Lakhisarai** in connection with **Barahiya P.S. Case No. 156 of 2018**, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure with further conditions:-

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the



Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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