

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2761 of 2020

Arising Out of PS. Case No.-450 Year-2019 Thana- KANTI THARMAL POWER District-
Muzaffarpur

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Baidnath Sah, aged about 35 years, Male, Son of Late Jatta Sah @ Jay Sah,
Resident of Village- Bhaluahiya, P.S.- Adapur, District- East Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Krishna Kant Singh

For the Opposite Party/s : Mr.Kumar Veerendra Narayan

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 20-03-2020 Heard Mr. Krishna Kant Singh, learned counsel for
the petitioner and learned Additional Public Prosecutor for the
State.

The petitioner seeks regular bail in connection with
Kanti P.S. Case No. 450 of 2019 registered for the offence
punishable under Section 395 of the Indian Penal Code, 1860 .

The prosecution story in brief is that the driver of a
truck bearing Registration No. AS01JC-2385 lodged an F.I.R.
before the Kanti Police Station stating therein that the truck
loaded with polymer was intercepted by five miscreants near
Darbhanga More claiming themselves as Sales Tax Officials and
those five unknown persons over powered the informant on the
point of knife and fire arm and two persons took away the truck
and the four persons left the informant near Kanti Over Bridge
by their Scorpio.

Mr. Krishna Kant Singh, learned counsel appearing
for the petitioner submits that petitioner has falsely been
implicated in this case inasmuch as the petitioner is not named



in the F.I.R. Learned counsel further submits that from perusal of the First Information Report it would be evident that five unknown persons had allegedly intercepted the truck in question and two persons driven the truck to some other place. Learned counsel further submits that in fact the truck in question was recovered in Motihari and Adapur P.S. Case No. 156 of 2019 was registered by the Police in which the name of the petitioner has transpired on the basis of the fact that he had recommended to the landlord to give his premises on rent to the co- accused persons. Learned counsel further submits that no recovery has been made from the premises taken on rent by other accused on the recommendation of the petitioner, however, the looted articles were allegedly recovered from some other premises. Learned counsel further submits that petitioner has been granted bail in Adapur P.S. Case No. 156 of 2019 vide order dated 18.10.2019 passed in Cr. Misc. No. 59292 of 2019 and is in custody in the present case since 05.11.2019.

Having heard learned counsel for the parties and taking into consideration the fact that no incriminating article has been recovered from the possession of the petitioner and only allegation against the petitioner is that he recommended for grant of tenancy in favour of other accused persons, I am



inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., West, Muzaffarpur in connection with Kanti P.S. Case No. 450 of 2019.

(Anil Kumar Sinha, J)

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