

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9906 of 2020

Arising Out of PS. Case No.-53 Year-2019 Thana- CHENARI District- Rohtas

SURESH PRASAD Son of Gauri Shankar Prasad Resident of Village - Mahadeva, P.S.- Nasriganj, District - Rohtas, At present resident of Ward No. 4, Nasriganj, P.S.- Nasriganj, District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Kant Singh

For the Opposite Party/s : Mr.Dashrath Mehta

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 03-03-2020

Heard learned counsels for the parties.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 379 and 411 of the IPC.

The prosecution case as per the self statement of SI Nikhil Rai, SHO, Chenari Police Station is to the effect that on 27.2.2019 at 1.10 A.M. during night patrolling, a Scorpio vehicle was intercepted from which four persons managed to escape. It is alleged that from the Scorpio in question, 22 pieces of battery, iron rod, mobile and driving licence in the name of Nabi Khan were recovered.

It is submitted by learned counsel for the petitioner that the petitioner has been roped in the present case



because he is the owner of the vehicle in question. In fact, the vehicle in question was being driven by the driver Nabi Khan and his statement has been recorded wherein he stated that he loaded the articles without the knowledge of the petitioner. The said fact has been recorded in the impugned order. It is further submitted that the petitioner had no knowledge about the alleged articles being loaded in the vehicle. Statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the petitioner is the owner of the vehicle in question.

Considering the fact that the petitioner had no knowledge about the alleged articles being loaded in the vehicle in question coupled with the statement made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM, Sasaram, in connection with Chenari P.S. Case No.53 of



2019 subject to the conditions laid down in Section 438(2)
of the Cr.P.C.

(Dinesh Kumar Singh, J)

anil/-

U			
---	--	--	--

