

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29532 of 2020

Arising Out of PS. Case No.-203 Year-2019 Thana- AURANGABAD TOWN District-
Aurangabad

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BIKRAM KUMAR @ BIKRAM PASWAN S/o Sitaram Paswan Resident of
Vill.-Mokhtiyarpur, P.S.-Risiup, Distt.-Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Prasad Singh, Sr. Advocate
For the Opposite Party/s : Mr. Umeshanand Pandit, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 17-12-2020 Heard Mr. Krishna Prasad Singh, learned senior

counsel for the petitioner and Mr. Umeshanand Pandit, learned

Additional Public Prosecutor appearing for the State through

video conferencing.

Petitioner apprehends arrest in connection with

Aurangabad (Muffasil) P.S. Case No. 203 of 2019 registered for

the offence punishable under Section 406 of the Indian Penal

Code, 1860.

The allegation as per the First Information Report is

that the informant had parked his truck bearing No. BR02W-

5799 near cement factory on 22.08.2019 and went to his house

for some urgent work. At that time, the driver i.e. petitioner was

in the truck to look after the same. After five days, i.e. on



27.8.2019, when the informant came back, he did not find his truck there and when the informant contacted his driver i.e. petitioner and asked about the truck in question, he replied that he has no knowledge about the truck as he had also gone after leaving the truck at the same place. The informant has raised suspicion that petitioner has stolen his truck.

Learned senior counsel for the petitioner submits that petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case with oblique motive. Learned counsel further submits that the informant had got knowledge about the truck being stolen on 27.08.2019 from the parking, but he lodged the present case after a lapse of about five days. i.e. on 01.09.2019. Learned counsel also submits that fact of the matter is that the petitioner is not the driver of the truck and he is not having any driving license in his name also. Learned counsel next submits that the stolen truck has not been recovered from possession of the petitioner and the petitioner has got no criminal antecedent. He has been implicated in this case on the basis of suspicion only.

Having regard to the submissions made by the parties and taking into consideration the materials on record, I am inclined to grant anticipatory bail to the petitioner.



Accordingly, in the event of arrest or surrender before the court below within six weeks from today, petitioner, above named, shall be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad, in connection with Aurangabad (Muffasil) P.S. Case No. 203 of 2019, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

It is made clear that at the time of furnishing bails bonds all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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