

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64956 of 2019

Arising Out of PS. Case No.-592 Year-2019 Thana- SAHARSA District- Saharsa

1. Manoj Kumar, Son of Jagdish Prasad Nirala, Proprietor of Sangam Transport, Balhua Road N. H. - 31, P.S.- Khagaria, Distt - Khagaria.
2. Awadhesh Kumar @ Abodh Kumar Awadhesh, Son of Jagdish Prasad Nirala, Proprietor of Sangam Transport, Balhua Road N. H. - 31, P.S.- Khagaria, Distt - Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Viveka Nandsingh- Advocate
For the State	:	Mr. Ram Priya Sharan Singh- A.P.P.
For the informant	:	Mr. Diwakar Prasad Singh- Advocate

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA

ORAL ORDER

4 16-06-2020 Heard learned counsel appearing for the petitioners as well as learned Additional Public Prosecutor appearing for the State assisted by learned counsel for the informant through video conferencing.

Petitioners apprehend their arrest in connection with Saharsa Sadar P. S. Case No.592 of 2019 registered for the offences punishable under Sections 379, 420 of the I.P.C.

Petitioners being transporters provided trucks to informant to send maize to Gujarat, but the goods of the informant did not reach to its destination.

Learned counsel appearing for the petitioners submits



that in course of investigation, it came to light that owners and drivers of the concerned trucks are genuine persons and, even if the prosecution story assumed to be true, then also it were drivers and owners of the said trucks, who committed the alleged occurrence.

Learned counsel appearing for the informant submits that it were petitioners, who took the fare of the aforesaid trucks and on their assurance, the informant sent his goods to Gujarat on the trucks provided by the petitioners.

Regard being had to the facts and circumstances of the case as well as submissions of the parties, I am not inclined to extend the privilege of anticipatory bail to the petitioners.

Accordingly, their prayer for anticipatory bail stand rejected.

(Hemant Kumar Srivastava, J)

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