

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79888 of 2019

Arising Out of PS. Case No.-254 Year-2019 Thana- KARAKAT District- Rohtas

Sanjay Singh, Son of Ram Pravesh Singh, Resident of Village-Dharupur
(Bathani), Police Station-Bikramganj, District-Rohtas.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s :	Mr.Dhaneshwar Prasad Gupta
For the Opposite Party/s :	Mr.Akhileshwar Dayal, A.P.P.
For the Informant :	Mr. Akhouri Bipin Bihari Shrivastava, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 17-01-2020 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Karakat P.S. Case No. 254 of 2019 registered for the offences punishable under Sections 379, 406, 420/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that from the F.I.R. it would appear that the co-accused Sunil Ram and Ram Prakash are said to be the driver and co-driver engaged by the informant on the tractor. It is they who had proceeded with the said tractor to load sand but then it is alleged that on way this petitioner met them and by telling that there is an outstanding of Rs. 1,40,000/- against the tractor of the financier



and the petitioner was the financier he gave a paper to the driver and took away the vehicle.

Learned counsel submits that it is the driver and co-driver of the informant who have taken away the vehicle and in order to save their skin they have involved this petitioner and the police has extracted forcibly confessional statement of the petitioner. It is his submission that save and except the confessional statement there is no other material against the petitioner. As regards the criminal antecedent of two cases, learned counsel submits that those cases have been lodged by his co-sharer and he is on bail in both the cases.

Learned counsel for the informant has opposed the prayer for regular bail of the petitioner as according to him this petitioner was in connivance with the driver and co-driver and has been engaged in taking away the tractor in question.

Considering the facts and circumstances of the case, the nature of allegations wherein it is the submission of learned counsel for the petitioner that the tractor was in possession of the driver and co-driver and then the allegation of involvement of this petitioner claiming himself a financier is only in order to save the skin of the driver and co-driver, the petitioner has remained in custody since 28.09.2019, the investigation being



complete, charge-sheet filed, let the petitioner above named be released on bail in connection with Karakat P.S. Case No. 254 of 2019 on furnishing of bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Bikramganj, Rohtas, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

(Rajeev Ranjan Prasad, J)

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