

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21632 of 2021

Arising Out of PS. Case No.-122 Year-2020 Thana- SAUR BAZAR District- Saharsa

RAJESH KUMAR @ PINTU Son of Sri Satyanarayan Bhagat Resident of
Village - Gamharia, P.S.- Sour Bazar, Distt.- Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Vijay Kumar Son of Siyaram Sah Hanuman Trading, Resident of Village - Patarghat, Ward No.7, P.S.- Sour Bazar (Patarghat O.P.), Distt.- Saharsa.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha, Adv.
For the Opposite Party/s : Mr. Sanjay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 24-09-2021 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 420, 406, 379, 120B and 34 of the Indian Penal Code.

As per the prosecution case, the goods sent by the informant on 4.2.2020 through the transporter did not reach its destination.

It is submitted by learned counsel for the petitioner that the allegations as levelled in the F.I.R. are false and concocted. No goods were ever sent by the informant through the transporter i.e the petitioner on 4.2.2020. It appears that the



goods were sent directly taking the service of the driver and the owner of the truck, without going through the transporter. The informant sent some goods on 6.2.2020 through the transporter and there is no complaint with respect to the same. There is an inordinate delay in lodging of the F.I.R. The petitioner is in custody since 19.9.2020 and chargesheet has been submitted in the case.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the petitioner being in custody for more than 1 year, the Court directs the petitioner to be enlarged on bail in connection with Saur Bazar P.S. Case no. 122 of 2020 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Saharsa.

(Partha Sarthy, J)

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