

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18508 of 2021

Arising Out of PS. Case No.-954 Year-2017 Thana- AHYAPUR District- Muzaffarpur

Shameem Ansari, aged about 38 years, Male, Son Of Kausar Ansari R/O Village- Ansari Road, Rajopatti Ward No.17, Chakmahila, P.S. And District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashar Mustaffa, Adv.
Ms.Bela Singh, Adv.

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 11-03-2022 Heard Mr. Ashar Mustaffa, learned advocate for the petitioner and Mr. Jharkhandi Upadhyay for the State.

The petitioner seeks bail in anticipation of his arrest in connection with Ahiyapur P.S. Case No. 954 of 2017 dated 28.10.2017 instituted for the offences under Sections 406, 420, 379, 34 of the Indian Penal Code.

The Informant has alleged that he had hired a truck for transporting rice from Muzaffarpur to Karnal and in the process, had talked to Md. Munna, the driver of the vehicle and one Lal Hasan, who projected himself as the owner of the vehicle, in question. The truck was loaded with rice worth Rs. 3,30,556/-. The assignment never reached its destination and the Informant appears to have been tricked by the aforesaid Munna



and Lal Hasan who claimed to be the owner of the vehicle.

Learned counsel for the petitioner has submitted that he has not been named in the F.I.R. In fact, he is the true owner of the vehicle in question and when the vehicle of the petitioner was not brought to him, he lodged the case against his driver vide Sitamarhi (Mehsoul O.P.) P.S. Case No. 977 of 2017.

The vehicle, in question, has been recovered and on the application of the petitioner on showing himself the bonafide owner of the same, it has already been directed to be released in favour of the petitioner. However, the same could not be delivered to him for the reason that the petitioner has been made accused in the present case.

As directed by this Court, the petitioner appeared before the Investigating Officer, who has also interrogated him on the aforesaid issue.

Considering the aforementioned facts, the petitioner is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate,



Muzaffarpur in connection with Ahiyapur P.S. Case No. 954 of 2017 (G.R. No. 5339 of 2017), subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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