

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12537 of 2022

Arising Out of PS. Case No.-490 Year-2021 Thana- PURNEA SADAR District- Purnia

Santosh Kumar Jaiswal @ Santosh Choudhary Son of Guru Prasad Jaiswal
Resident of Village - Patel Road, Pradhan Nagar, Ward no.3, P.s.- Pradhan
Nagar Siliguri, Dist.- Darjaling

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binay Kumar Singh
For the Opposite Party/s : Mr.Choubey Jawahar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 16-08-2022 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in Sadar P.S. Case
No. 490 of 2021, registered for the offences punishable under
Section 379 of the Indian Penal Code.

Prosecution case in brief is that informant used to run
a transport business at Matigarha, Darjeeling. On the alleged
date and time of occurrence a truck bearing Registration no.
WB39B-7574 of his transport after loading scrap (Kabari iron)
materials at Bongai Gaon, Assam was going on to Asansol.
When the driver along with khalasi reached at Zeromile
Gulabbagh they parked the truck on the flank of road and went
to take meal. In the meantime, the said truck disappeared from



there. Thereafter driver informant the owner of the truck and owner of the truck informed the informant about the incident.

It is submitted that petitioner is not named in the FIR. Name of this petitioner transpired during course of investigation on the basis of confessional statement of co-accused Mahakant Jha. Alleged stolen truck with scrap was recovered from the scrap shop of one Shiv Shankar Purve. No incriminating article has been recovered from possession of this petitioner. Petitioner claims clean antecedent.

Considering the facts aforesaid, the petitioner above-named, in the event of his arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Purnia in connection with Sadar P.S. Case No. 490 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

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