

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41756 of 2021**

Arising Out of PS. Case No.-168 Year-2021 Thana- LALGANJ District- Vaishali

SAJJAD ALAM S/O MOHAMMAD AKRAMUL HAQUE @ MD.
AKRAMULALIAS MD AKRAMUL RESIDENT OF VILLAGE-SAGHARI,
P.O-PAHLADPUR, P.S-MUSHAHARI, DISTRICT-MUZAFFARPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Anis Akhtar, Adv.

For the Opposite Party/s : Ms.Gulnar Begum, APP

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 04-01-2022 The instant case has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and
Ms. Gulnar Begum, the learned APP for the State.

The petitioner seeks regular bail in connection with Lalganj PS case no. 168 of 2021 instituted for the offences punishable under Sections 379, 411 of Indian Penal Code.

The allegation is regarding one truck having been parked near the shop of the petitioner, which used to be driven by one Ravindra Kr. Shukla. It is further alleged that similarly, on 14.05.2021 at about 6 pm in the evening, the driver



of the said truck had parked the truck, however when he came back on 15.05.2021, he found that his truck had been stolen.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case, is having a clean antecedent and is languishing in custody since 28.05.2021. The learned counsel for the petitioner, by referring to paragraph no. 9 of the present petition, submits that the petitioner has a garage and a scrap shop, hence he had purchased the truck from the co-accused person namely Abhishek Kumar by way of scrap, inasmuch as the condition of the truck was not good and for the same, he had paid a sum of Rs. 1,90,000/-, however he was not having any knowledge that the said truck is a stolen truck. The learned counsel for the petitioner has further submitted that the petitioner had in a bonafide belief purchased the truck in question by making payment for the same.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that the petitioner has



categorically stated in the present petition that in a bonafide belief, he had purchased the truck by making huge payment by way of scrap, inasmuch as the condition of the truck in question was not good, apart from the fact that the petitioner is having a clean antecedent, I deem it fit and proper to admit the petitioner to the privilege of bail. Accordingly, the abovenamed petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned court of A.C.J.M. IX, Vaishali at Hajipur in connection with Lalganj PS case no. 168 of 2021.

(Mohit Kumar Shah, J)

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