

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31696 of 2022

Arising Out of PS. Case No.-180 Year-2021 Thana- ISUAPUR District- Saran

1. Gayasuddin @ Geyasuddin, Son Of Jumrati Ansari Resident Of Village - Kanedi Bujurga, P.S. - Tariya Sujan, District - Kushi Nagar, Uttar Pradesh.
2. Mahatma Chaurasiya, Son Of Devraj Prasad Resident Of Village - Nayapatti, Tola- Baraitha, P.S. - Pathherwa, District - Kushi Nagar, Uttar Pradesh.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yugal Kishore
For the Opposite Party/s : Mr. Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-11-2022 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 379, 353 and 411 of the Indian Penal Code.

The learned counsel for the petitioners submits that the petitioners have antecedent of one case and the informant alleges that on 08.09.2021, he was guarding the seized trucks and when he went to washroom, the accused persons fled with the seized trucks, which he was guarding. Thereafter, it is alleged that one of the trucks was caught with driver and cleaner and he was sent to jail.

The learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case. It is next



submitted that had the truck been seized, then definitely an F.I.R. would have been instituted, but since no F.I.R. was instituted that in itself demonstrates that there was no seizure of any truck prior to institution of the present F.I.R. It is also submitted that petitioners are owner of two of the trucks as mentioned in the F.I.R. and they were carrying sand to Gorakhpur as would be evident from the challan annexed as Annexures-4 and 6.

Learned A.P.P. opposes the bail application.

Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Isuapur P. S. Case No.180 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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