

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37725 of 2022

Arising Out of PS. Case No.-26 Year-2022 Thana- SANHAULA District- Bhagalpur

AKHILESH KUMAR S/O RAM CHANDRA RAY R/O- GULAB BAGH,
P.S.- PURNIA, DISTRICT- PURNIA, PERMANENT R/O VILLAGE-
BAZIDPUR CHAK KASTURI, SAHDEI BUZURG, VAISHALI, P.S.-
DESARI, DISTRICT- VAISHALI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad
For the Opposite Party/s : Mrs. Veena Rani Prasad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-11-2022 Heard learned counsel for the petitioner as well as
learned APP for the State.

Learned counsel for the petitioner is directed to remove
the defects within four weeks.

The petitioner apprehends his arrest in a case registered
for the offence punishable under section 379/34 of IPC.

Allegedly, two trucks loaded with stone chip is said to
have been seized by the police. It is alleged that after some time,
when the informant came at the place where the seized vehicles
were parked, he found that the vehicles were missing. The
informant is on suspicion that the driver cum owner of both the
vehicles have taken away the seized vehicles.



It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He further submits that the petitioner is the owner of a truck bearing registration no.WB-73D-1329 and the said truck was transported with valid challan. The department has assessed fine amount of Rs.2,95,625/- and same has also been paid by the petitioner and with this effect from the Mines Department, receipt has also been issued, as also evident from annexure-2 of the bail application. Petitioner has no criminal antecedent, as also mentioned in para-3 of the bail application.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in Sanhaura



P.S. Case No.26 of 2022, subject to the conditions as laid down
under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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