

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37963 of 2022

Arising Out of PS. Case No.-497 Year-2021 Thana- JAKKANPUR District- Patna

Ravi Kumar @ Hari Shankar Rai Son Of Khilari Ray Resident Of Village-
Sadiqpur, Police Station- Maner, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shankar Kumar

For the Opposite Party/s : Mr.Md. Matloob Rab

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 01-12-2022 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 379, 381, 407/34 of the Indian Penal Code.

The prosecution case in nutshell is that iron rods were being transported from Fatuha Stock Yard of Rashtriya Ispat Nigam Ltd. to the construction of Karbigahiya Flyover. When the iron rods reached the destination, it was found that 62 rods were missing. The allegation against the petitioner is that he is the driver of the alleged trailer/truck bearing Registration No. NL-02N-8057, which was carrying the said rods and he along with other co-accused persons



are involved in the alleged crime of misappropriation of iron rods. On comparing with purchased and used rods, it was found that there was fraud of 400 to 500 metric tonnes of iron rods.

It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely been implicated in the present case. There is no recovery of stolen rods from the conscious possession of the petitioner. It is submitted that the F.I.R has been registered after an inordinate delay of 85 days. It is further submitted that petitioner is driver of the said truck and he has honestly transported iron rods from stock yard to the site which was loaded on the said vehicle and the same was verified by multiple employee of the company. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

In the facts and circumstance of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) with



two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, 1st, Patna in connection with Jakkanpur P.S. Case No. 497 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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