

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38460 of 2022

Arising Out of PS. Case No.-100 Year-2021 Thana- BARUN District- Aurangabad

RANJEET TIWARI SON OF UMESH TIWARI R/O VILLAGE- BANJARI
NAGAR, P.S.- KHAM TARAI, DISTRICT- RAIPUR (CHHATISGARH)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate

For the Opposite Party/s : Mr. Ramchandra Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-11-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 379 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner has antecedent of one case and the informant alleges that four trucks laden with sand were apprehended and were handed over to ASI 'Arbind' for custody, but informant was informed that owner of the Truck No. 9447 and 1706 came along with driver and 15-20 accused persons and forcefully took the truck away from the custody of the police.

Learned counsel for the petitioner submits that petitioner has been falsely implicated being driver of one of the truck, it is next submitted that though it is alleged that four



trucks laden with sand were apprehended but then neither they were seized, nor any FIR was instituted which creates doubt with regard to the veracity of the allegation, it is next submitted that it is difficult to believe that the driver of the vehicles with the owner would have committed such an occurrence, it is next submitted that admittedly no trucks were seized or else an FIR would have been instituted.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Barun P.S. Case No. 100 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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