

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39022 of 2022

Arising Out of PS. Case No.-72 Year-2022 Thana- SAUR BAZAR District- Saharsa

NAWAL KISHOR ROY S/O LATE BHUBNESHWAR RAI Resident of
Village- Tiwary Tola, Ward No.- 31, P.S. and District- Saharsa.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjay Kumar Singh, Advocate

For the Opposite Party/s : Mr. Suresh Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 06-12-2022 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 406, 420, 120-B of the Indian Penal Code.

The informant alleges that on 03.12.2021 between 8:00 pm to 11:00 am, a deal was made on mobile to transfer 37,350 kg of wheat between the informant and petitioner at the price of Rs. 44,800/- out of which an advance of Rs. 25,000/- was given and Rs. 19,800/- was to be given when the wheat would have reached its destination, it is next alleged that the truck never reached its destination leading to loss of Rs. 8,23,567/- to the informant.



Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and has been falsely implicated in the present case, it is next submitted that petitioner is neither the owner nor the driver of the truck, he is a transporter and his work was to get a deal struck between the informant and the owner of the truck, it is further submitted that informant after being satisfied with the owner of the truck and after perusing the license of the driver had got the wheat loaded on the said truck which never reached its destination. Learned counsel next submits that petitioner has no role to play once the articles are dispatched.

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 Sour
Bazar P.S. Case No. 72 of 2022 subject to the conditions as
laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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