

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50099 of 2021

Arising Out of PS. Case No.-15 Year-2021 Thana- NAANPUR District- Sitamarhi

Md. Afroz S/o Late Manul Haque R/o Village Paktola, P.S. Nanpur, District Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dinesh Jha

For the Opposite Party/s : Mr. Khurshid Anwar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 29-04-2022 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

The petitioner apprehends his arrest in Nanpur P.S.
Case No.15 of 2021, registered for the offences punishable
under Sections 420 and 406 of the Indian Penal Code.

The informant who is the Assistant Manager of
Baruna Enterprises Logistics Pvt. Ltd. alleged that the petitioner
is the driver of the said company and he fled away leaving the
loaded truck in an abandoned condition in Silliguri. The
petitioner has to pay Rs.1,08,139/- due with the company, but he
is not returning the said amount.

Learned counsel for the petitioners submits that the
petitioner is innocent and has falsely been implicated in the
present case. It is further submitted that the petitioner has got no



criminal antecedent as stated in paragraph 3 of the bail application. It is further submitted that the petitioner was working in the company as a driver for the last nine years and done his job without any complain. It is submitted that in June, 2020 the petitioner had gone Silliguri with loaded truck but the truck could not be unloaded due to lock down and the petitioner got infected with corona virus and left Silliguri to his home after informing the company. It is also submitted that in fact Rs.3,00,000/- of his salary was due upon the company and the petitioner was in need of money for his treatment for which the petitioner requested the company to make payment but the company did not pay a single farthing to the petitioner. The petitioner gave legal notice to the company on 02.01.2021 and thereafter the present case was lodged. It is also submitted that the dispute is civil in nature.

The learned APP for the State opposes the prayer for anticipatory bail of the petitioner.

Taking into consideration the facts aforesaid, let petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of



the like amount each to the satisfaction of learned S.D.J.M.,
Pupri at Sitamarhi in connection with Nanpur P.S. Case No.15
of 2021, subject to the conditions laid down under Section
438(2) Cr.P.C.

(Anjani Kumar Sharan, J.)

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