

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45497 of 2022

Arising Out of PS. Case No.-248 Year-2021 Thana- MANSI District- Khagaria

BIKASH KUMAR Son of Pramod Yadav Resident of Village - Jalim Babu
Tola, Khutiya, P.S.- Mansi, District - Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar, Advocate

For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-12-2022 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 Section 379 of the Indian Penal Code.

Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and the informant alleges that his truck was going from Patna to Saharsa loaded with Nirma salt, it is further alleged that petitioner forcefully stopped the truck near Kalyani Hotel and on coming to know about the occurrence, the informant reached the place of occurrence where he found his truck missing, further he talked to the petitioner who said that the truck was standing near Shakuntala Hotel, it is next alleged that when the informant



reached the place of occurrence he found that petitioner has sold four tyres, tripal and 150 litre diesel as he could not succeed in selling the truck.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case, it is next submitted that truck was financed by Chola Finance Company of which the petitioner is a recovery agent, it is also submitted that since owner of the truck had not paid the installment as such the truck was stopped which amply gets demonstrated from the fact that in the FIR itself it has been alleged that informant had talked to the petitioner when he was informed that the truck was parked near Shakuntala Hotel, thus it is submitted that had the truck been taken away forcefully or by way of loot, the petitioner would not have disclosed where the truck was parked.

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 Court below 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 court below where the case is pending/successor court in connection with Mansi P.S. Case No. 248 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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