

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46691 of 2022

Arising Out of PS. Case No.-238 Year-2020 Thana- THAWE District- Gopalganj

AJAY SHANKAR YADAV Son of Ranjit Yadav Resident of Village -
Rajwan, P.S.- Sukhpura, Distt.- Baliya (U.P.).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satyapal Singh, Adv.

For the Opposite Party/s : Ms.Veena Kumari Jaiswal, APP

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 07-12-2022 The learned counsel for the petitioner is directed

to remove all the defects pointed out by the office within

one month.

Heard the learned counsel for the petitioner as

well as learned APP for the State.

In this case, the petitioner is seeking regular bail

in connection with Thawe P.S. Case No. 238 of 2020,

registered for the offences punishable under Section 381 of

the Indian Penal Code.

As per allegation, the petitioner, after loading

oil in the truck from Haldia, West Bengal, proceeded

towards his destination. On 09.12.2020, the informant, who



is owner of the vehicle, received a telephonic message that his vehicle is parked in Thawe Police Station and the driver has sold the oil loaded in that *lorry*.

The learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated. There was some dispute between the owner and driver regarding wages and it was the reason for false implication. He has submitted further that the petitioner is under custody since 09.02.2022 and he is a person of clean antecedent.

Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gopalganj in connection with Thawe P.S. Case No. 238 of 2020, subject to the following conditions:-

- (i) The petitioner shall cooperate in the disposal of trial.
- (ii) If the petitioner is found involved in future in the similar type of offence, the prosecution



will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

(iii) The petitioner shall remain present on each and every date of trial till disposal of the case.

Office shall ensure that all defects are removed by the petitioner within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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