

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60674 of 2021

Arising Out of PS. Case No.-120 Year-2017 Thana- KASIMBAZAR District- Munger

MANTU KUMAR S/o Shukar Yadav R/o Village- Bakhari, P.S.- Barhat,
District- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Sevak Choudhary
For the Opposite Party/s : Mr. Gauri Shankar Gupta

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 05-09-2022 Heard the parties.

The petitioner apprehends his arrest in a case registered for the offence punishable under section 379 of Indian Penal Code.

Allegedly, on 08.06.2017, it was informed to the informant to verify a seized truck loaded with sand. When the informant went to the place where the seized truck was kept, he did not found the said truck there. The allegation against the petitioner is that he along with other accused persons fled away with the truck with an intention to commit theft.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation



leveled against the petitioner is not specific rather general and omnibus in nature. There is no specific allegation against the petitioner. The petitioner is not named in the F.I.R., his name transpired in the present case only on suspicion and statement of SI. The petitioner is the owner of the said truck and at the time of occurrence he was not present on the truck. No seizure list has been prepared by the I.O. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five 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 Kasim Bazar P.S. Case No.120 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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