

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60121 of 2021**

Arising Out of PS. Case No.-117 Year-2021 Thana- PIYAR District- Muzaffarpur

DALAL DILIP KUMAR PATHAK Son of Udaymal Pathak C/o Shree Sai Roadways, 229- Maharshi Devendra Road, 1st Floor, Kolkata -700007, Resident of 87B, BL.N. Room No. 8, Cossipore Road, Cossipore, H.O., Kolkata (W.B.) -700007.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 68242 of 2021

Arising Out of PS. Case No.-117 Year-2021 Thana- PIYAR District- Muzaffarpur

SANTU KUNWAR @ SANTU KUMAR @ BABUL KUMAR SINGH @ BABUL KUMAR Son of Rajeshwar Kumar @ Rajeshwar Kunwar Resident of Village - Daha Chhapra Dhanaiya, P.S.- Sahebganj, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 60121 of 2021)
For the Petitioner/s : Mr.Babu Nandan Prasad
For the Opposite Party/s : Mr.Ashok Kumar
(In CRIMINAL MISCELLANEOUS No. 68242 of 2021)
For the Petitioner/s : Mr.Mukesh Kumar
For the Opposite Party/s : Mr.Nitya Nand Tiwary

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

5 08-12-2022

Cr. Misc. No. 68242 of 2021

At the outset, learned counsel for the petitioner seeks
permission to withdraw this application against the petitioner.

Permission is accorded.

This application stands dismissed as withdrawn.



Cr. Misc. No. 60121 of 2021

Heard learned counsel for the petitioner and learned APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Piyar P.S. Case no. 117 of 2021 instituted for the offence under Sections 406, 420, 379 and 34 of the Indian Penal Code.

As per allegation in the FIR, after making a telephonic contact with the accused driver/owner, namely, Kundan Kumar, of the truck by the informant, he came to know that truck met with an accident. Informant visited at the place of occurrence but he could not see any proof of accident. It is further alleged that petitioner works in Shree Sai Roadways, Kolkata and he has provided the alleged truck to the informant.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has got no criminal antecedent. He works in a transporting agency and he has only provided the alleged truck to the informant. He has not to do with the alleged incident.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in



the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Piya P.S. Case no. 117 of 2021, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Muzaffarpur subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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