

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50792 of 2022

Arising Out of PS. Case No.-614 Year-2020 Thana- KHAGARIA District- Khagaria

1. SUDHIR CHAURASIA Son of Asharfi Chaurasia Resident of Village - Maheshkhut, P.S.- Maheshkhut, District - Khagaria
2. Chanchal Kumar Chaurasia @ Chanchal Chaurasia Son of Ram Charitra Chaurasia Resident of Village - Maheshkhut, P.S.- Maheshkhut, District - Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha
For the Opposite Party/s : Mr.Anita Kumari

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 13-12-2022 Learned counsel for the petitioners is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

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

The petitioners have preferred this application for grant of regular bail in a case registered under sections 409, 420, 120B and 379 read with 34 of the Indian Penal Code.

As per the prosecution case, The informant had to send 26 tons and 210 kgs of wheat worth Rs. 4,78,332 to West Bengal. The informant approached the Jai Kisan Transport Agency who gave him on rent Truck number-JH02AV3649



owned by the co-accused Mahendra Yadav. The informant sent the goods to howrah on the said truck which was being driven by the co-accused Nirmal Ram. However, The said truck did not reach Howrah for delivery and when the informant tried to contact the driver as well as the owner of the truck, he found that their mobiles were switched off. It is alleged that the petitioners in conspiracy with the co-accused persons have fraudulently sold the goods of the informant, misappropriated the Rs. 15,000/- given by the informant as advance money, and have hidden the truck somewhere in order to conceal the evidence.

Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. The petitioners and the informant are businessmen and the informant has used the service of the petitioners' business in past as well. Learned counsel for the petitioners has further submitted that the petitioner no. 2 has been made an accused in this case solely because he is an associate of petitioner no. 1 and he has played no role in the transaction. Nothing has been recovered from the possession of the petitioners. The petitioners have clean antecedent as stated in para 3 of the bail petition. The petitioners are in custody since



15.06.2022.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners by submitting that the petitioners are responsible for the said crime.

Considering the aforesaid facts and circumstances, the petitioners above-named, are directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned Khagaria, in connection with Khagaria P.S. Case No. 614 of 2020, with a condition:-

1. The petitioners are directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioners will liable to be cancelled.

The application stands allowed.

(Chandra Prakash Singh, J)

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