

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62385 of 2021

Arising Out of PS. Case No.-184 Year-2021 Thana- MUFFASIL District- West Champaran

TIWARI BABA @ TIWARI BAB @ RAKESH TIWARI S/o Baban Tiwari
Resident of Village- Bostiya Mudwa, P.S.- Palanwa, District- East
Champaran. Presently residing at Krishan Petrol Pump, Haribatika Chowk,
Bettiah, P.S.- Bettiah (M), District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mr.APP.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 14-06-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard learned counsel for the petitioner and the

learned APP for the State.

The petitioner apprehends his arrest in connection

with Bettiah (M) P.S. Case no. 184 of 2021 registered under

sections 341, 323, 384, 308, 420, 406 and 504/34 of the Indian

Penal Code.

Learned counsel for the petitioner submits that the

alleged truck which was hired by the informant for carrying

wheat was attached to the transport agency of the petitioner and

the petitioner is commission agent in that agency and owner of



the truck was other person and the petitioner has no concern with the driver and other staff of the truck. After occurrence, Panchyati meeting was held in between the petitioner and the informant and according to the decision of the Panchyat, petitioner had paid Rs 2,50,000/- and rest amount was not concerned with the petitioner as same might be concerned with the truck owner. In this regard, informant remained silent in his complaint petition which was filed after one month of the occurrence. The petitioner has got one criminal antecedent in which he is on bail.

Learned APP opposes the prayer for anticipatory bail.

Considering the above submissions and the facts that alleged truck was hired from the transport agency of which the petitioner has claimed to be commission agent and according the petitioner's submission, he has paid about 50% of cost of alleged inappropriate wheat, let the above named petitioner, in the event of arrest or surrender within four weeks from today, be released on bail on furnishing bail bond of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Bettiah, West Champaran in connection with Bettiah (M) P.S. Case no. 184 of 2021 subject to condition as laid down under section 438(2) Cr.P.C.



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.

(Shailendra Singh, J)

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