

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66376 of 2021

Arising Out of PS. Case No.-264 Year-2021 Thana- PURNEA SADAR District- Purnia

SATYA PRAKASH FOUJI Son of Parasadi Lal Resident of Jodhpur Alwar
Fouji, NH 31, Dhamka (Near Nahar), P.S.- Sadar, District- Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Lalan Kumar Chaudhary Son of Maheshwari Pd. Chaudhary Resident of
Village- Chandan Nagar, Ward No. 46, P.S.- Sadar, District- Purnea.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Radha Mohan Singh
For the Opposite Party/s : Mr.Pranav Kumar

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

ORAL ORDER

3 21-09-2022 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
the learned Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection with
Sadar P.S. Case No. 264 of 2021, registered for offence
punishable under sections 409, 419, 420 and 34 of the Indian
Penal Code.

As per allegation, the petitioner is a transporter and
there was a contract between the informant and the petitioner for
carriage of thirty-five tonnes maize crops. The informant paid



Rs. 20,000/- to the petitioner, but the consignment did not reach to its destination.

The learned counsel for the petitioner has submitted that the petitioner is a transporter. The consignment was handed over to the driver and the driver misappropriated that consignment. The petitioner is innocent and is not responsible for the act committed by the driver of that truck. He has submitted further that the truck owner, namely, Om Prakash Saran has lodged FIR against the said driver on 25.05.2021 as Manoharpur P.S. Case No. 107 of 2021 for the offences punishable under Section 407 of the Indian Penal Code and the driver was arrested in that case. He has also submitted that the petitioner is a person of clean antecedent.

Considering the above-mentioned facts and circumstances, the petitioner above-named, in the event of his arrest or surrender, within four weeks from today, is directed to be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea in connection with Sadar P.S. Case No. 264 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.

(Nawneet Kumar Pandey, J)

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