

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.3535 of 2023**

Arising Out of PS. Case No.-96 Year-2022 Thana- KURSAILA District- Katihar

SHATRUDHAN YADAV @ SHATRUDHAN KUMAR S/o Siya Ram Yadav  
Resident Of Village- Tulsipur, P.S.- Kharik, Distt- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ashok Kumar Yadav, Advocate

For the Opposite Party/s : Mr. Mithlesh Kumar Khare, APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

2      09-05-2023                      Heard learned counsel for the petitioner and the  
  
State.

Petitioner apprehends arrest in a case registered for  
the offence punishable under section 420 of the Indian Penal  
Code.

It is alleged that the informant loaded 14770 kilogram  
of maize on Tractor bearing No. BR34D-2204 and sent it to  
Naughachia but it did not reach there. It is further alleged that  
the petitioner misappropriated the loaded maize and disappeared  
the truck.

Learned counsel for the petitioner submits that he is  
the brother-in-law of the informant and he has been falsely  
implicated in this case. The informant is not the owner of the  
tractor and owner of vehicle, Pinkesh Kumar has already lodged



FIR in connection Gopalpur P.S case No. 257 of 2022 for missing of the tractor against unknown. Therefore, no case under section 420 IPC is made out. Petitioner claims clean antecedent.

Learned counsel for the State opposes the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioner, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Katihar/Successor Court in connection with Kursela P.S. case no 96 of 2022 subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

**(Prabhat Kumar Singh, J)**

Kaushik/-

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