

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7778 of 2023

Arising Out of PS. Case No.-42 Year-2017 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

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1. Dipendra Yadav @ Dipendra Prasad Yadav Son of Sita Ram Yadav Contractor Jalpa Builder Wishariya, Saptari Nepal Residing at ward no. 4, Birpur, Basantpur, P.S- Birpur Dist Supaul
 2. Sunita Devi Wife of Dipendra Yadav @ Dipendra Prasad Yadav Proprietor of Jalpa Builder Wishariya Saptari Nepal Residing at ward no. 4, Birpur, Basantpur, P.S- Birpur Dist Supaul
 3. Manish Sinha @ Manish Kumar Sinha Son of Late Krishna Prasad Sinha Munsu, Jalpa Builder Wishariya Saptari Nepal, Residing at Kosi Colony, Ward no. 1, Birpur P.S- Birpur, dist- Supaul

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ramchandra Prasad Gupta @ Ramchandra Prasad Son of Baidyanath Prasad Gupta R/V- Sarisopahi, P.S- Pandaul, Dist- Madhubani

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Jha
For the Opposite Party/s : Mr.Shantanu Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 18-04-2023 Heard both parties.

The petitioners apprehend their arrest in Jhanjharpur CR Case No. 42 of 2017, registered for the offences punishable under Section 379 and other allied sections of the Indian Penal Code.

Prosecution case in brief is that petitioners hired truck of the complainant bearing Registration no. BRO-06G-4970 and the truck of one Shailendra Mishra bearing Registration no. BRO-06G-4978 for transportation of certain articles, but these



petitioners took the trucks to Nepal without any valid paper and did not pay the money to truck driver and Khalasi and threatened them and subsequently trucks were seized in Nepal police due to non-production of valid papers.

It is submitted that petitioners have been falsely implicated in this case. As a matter of fact, truck of complainant and another truck were seized due to non-production of valid papers and when the complainant and one Shailendra Mishra could not get the trucks released, this false and concocted case has been lodged against petitioners.

Counsel for complainant however, vehemently opposed the prayer for bail and submitted that petitioners are named and there is direct and specific allegation and petitioners have moved before this court for anticipatory bail after lapse of five years.

Considering the facts aforesaid and the fact that the anticipatory bail application has been filed after lapse of five years, I am not inclined to enlarge the petitioners above-named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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