

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16029 of 2023

Arising Out of PS. Case No.-352 Year-2022 Thana- ATRI District- Gaya

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Kanchan Kumar, Son Of Shambhu Sharan Yadav R/V- Imaliyachak, P.S.-
Atri, District- Gaya

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinod Kumar

For the Opposite Party/s : Mr. Shyameshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 20-07-2023 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 379/ 411 of the Indian Penal Code, M.M. (D&R) Act,
1957 under Sections 4(1A)21, BM (CPIMTS) Rules 11/18-2019
and Amendment, 2021.

3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and the
informant alleges that the driver fled leaving the tractor loaded
with 100 CFT of sand. Further, the liner also fled on motorcycle
bearing No.BR02BC-6449.

4. The learned counsel for the petitioner submits that
petitioner has been falsely implicated in the present case. It is



next submitted that petitioner is not the owner of the tractor, which was seized laden with sand. It is further submitted that petitioner, being owner of the motorcycle in question, has been implicated. It is next submitted that petitioner was also coming from the opposite direction from which the informant was coming and perhaps, it appears that he mistook the petitioner as a liner, when admittedly, petitioner is a person with clean antecedent.

5. Learned A.P.P. opposes the bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-XIII, Gaya in connection with Atri P. S. Case No.352 of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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