

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21120 of 2023

Arising Out of PS. Case No.-280 Year-2022 Thana- JANDAHA District- Vaishali

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Sunil Kumar Singh Son Of Sri Raghu Singh Resident Of Village - Tendua,
P.S. - Hariharganj, Distt. - Palamu (JHARKHAND)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr.Dharmendra Kumar Singh, Advocate
For the Opposite Party/s :	Mr.Lalan Kumar, Addl Public Prosecutor
for the informant	Mr MC Gandhi, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 03-07-2023 Heard learned counsel for the petitioner and the State.

Petitioner apprehends arrest in a case registered for the offence punishable under sections 379, 420, 406/34 of the Indian Penal Code.

As per the prosecution case, informant's rice weighing 30 tons 780 kilograms and worth Rs.6.34 lacs was loaded on petitioner's truck for its transportation to Bhagwati Industries, Kamalpur, District Surajpur, Chhatisgarh but the consignment never reached its destination and thus petitioner being owner of the said truck, misappropriated the rice.

Learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in this case. It is the case of the petitioner that informant's rice was being



transported through the transport agency and on the relevant date, informant's rice bags was loaded on the petitioner's truck through the transporter Pradeep Singh. Hence, petitioner cannot be held responsible for the incident rather it was the transporter who was solely responsible. Petitioner claims clean antecedent.

Learned counsel for the State and the informant oppose the prayer for bail. Informant's counsel submits that petitioner is driver and owner of the said truck which was used in theft of rice of the informant, as such, he cannot escape responsibility. It has come in the investigation that in a planned conspiracy, informant's rice has been misappropriated by the petitioner and other accused persons.

Considering the nature and gravity of allegation, prayer for bail of the petitioner is rejected.

(Prabhat Kumar Singh, J)

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