

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24948 of 2022**

Arising Out of PS. Case No.-33 Year-2021 Thana- MURLIGANJ District- Madhepura

Raman Kumar Raman Son Of Parmanand Mishra (BUT Mentioned As
Raman Kumar Jha In The Fir), R/O Village- Nansuti, Ward No.-14, P.S.-
Basnahi, District- Saharsa

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

5 23-01-2023 Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of three weeks from today.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The Petitioner is apprehending his arrest in a case
registered for the offences punishable u/s 406 and 420 of the
Indian Penal Code.

As per the prosecution case, the informant has been
doing business of grains for the last 25 years honestly. M/s New
Baba Enterprises is run by the Petitioner. It is alleged that the
informant got 271.60 quintal of rice worth Rs. 4,61,720/- loaded
in the truck for Maa Bhawani Enterprises, New Delhi on



payment from Bank for his commission. The said truck was to go to Pehwa, Haryana. It is further alleged that after the payment, the petitioner switched off his mobile and got aforesaid rice unloaded from the truck after 2-3 days. When the informant sent his representative to the petitioner he took 10 days time but did not load the aforesaid rice after elapsing 70 days.

Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. He has submitted that the informant is a broker and he has nothing to do with the sale and purchase agreement between the petitioner and Maa Bhawani Enterprises, New Delhi. He has submitted that the FIR was lodged after the lapse of 3 months of the alleged occurrence. The petitioner has no criminal antecedent as stated at para 3 of the bail petition.

Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

Considering the aforesaid facts and circumstances as well as the nature of allegation against the petitioner, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/-



(Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Madhepura in connection with Murliganj P.S. Case No. 33 of 2021, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

The application stands allowed.

(Chandra Prakash Singh, J)

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