

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28095 of 2023

Arising Out of PS. Case No.-22 Year-2017 Thana- PANDARAK District- Patna

Lalan Prasad @ Lalan Mahto S/O- Sidheshwar Mahto, resident of Village-
Paithanichak, P.S.- Pandarak, Dist- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Pritish Kumar Lal, Advocate
For the Opposite Party/s : Mr. Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

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

The petitioner in the present case is seeking pre-arrest
bail in connection with Pandarak P.S. Case No. 22 of 2017
registered for the offences punishable under Sections 379, 420,
406, 120(B) of the Indian Penal Code. He has got no criminal
antecedent.

Learned counsel for the petitioner submits that as per
the prosecution story, the driver (this petitioner) of the truck
bearing registration no. 0R05AB/2313 parked the truck near his
house and went to sleep. In the morning, he saw that the truck
was not there. It is alleged that some unknown persons have
stolen the truck.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this



case. It is submitted that the petitioner is the informant in this case but in course of investigation, he has been made accused. It is also submitted that the truck in question has already been recovered.

Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

Having regard to the facts and circumstances of the case wherein this petitioner being the driver of the truck was the informant of the case but in course of investigation he has been made accused, the truck in question has been recovered but it is alleged that the graphite loaded on the truck have been stolen away, this Court directs that in case of his arrest or surrender within a period of four weeks from today, the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-1st Barh, Patna in connection with Pandarak P.S. Case No. 22 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal



antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

This application stands allowed.

(Rajeev Ranjan Prasad, J)

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