

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41982 of 2023**

Arising Out of PS. Case No.-127 Year-2023 Thana- KHARHAGPUR District- Munger

1. Niranjana Kumar @ Niranjana Singh S/O Munna Singh R/O Village. Kabal, Guguldih, Ps. Gidhour, Dist. Jamui
2. Bijay Kumar Yadav S/O Chhedan Yadav R/O Village. Pamiya Katauna, Ps. Malaypur, Dist. Munger

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Sinha
For the Opposite Party/s : Mr. Satya Nand Shukla

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

3 17-10-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 420, 379, 120(B)/34 of the Indian Penal Code.

3. As per the prosecution case, the informant alleged that three trucks as detailed in the F.I.R. were seized by the Mining Inspector, Munger and were kept in compound of RSK Mahavidalya Haveli, Kharagpur but on 12.03.2023, the accused persons forcefully took away the vehicle by breaking the boundary wall of the school.

4. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that



petitioner no. 1 is the driver and petitioner no. 2 is the owner of the said vehicle No. BR-46G-3628 and petitioners are valid and legal challan holders. Similarly situated co-accused has been enlarged on bail by a co-ordinate bench of this court vide order dated 01.08.2023 passed in Cr. Misc. No. 38088 of 2023. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Kharagpur P.S. Case No.127 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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