

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54980 of 2023

Arising Out of PS. Case No.-47 Year-2023 Thana- KORANSARAI District- Buxar

Aap Narayan Thakur Son Of Surendra Thakur Resident Of Village- Rajapur,
Ps- Simri, Dist- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar

For the Opposite Party/s : Mr.Parmanand Prasad

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 28-08-2023 Heard learned counsel for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence under Sections 406, 420, 120(B) of the Indian Penal Code.

3. As per the prosecution case, the informant contacted owner of Jai Jagdamba Road Carrier for transporting his wheat grains to Puja Phalwar Mill, Digha Ghat, Danapur from where the owner of Jagdamba Transport, Jagdamba Choudhary referred him to the petitioner and the petitioner assured that owner and driver of the vehicle are trustworthy so he can transport his wheat grains through the truck and Rs. 60 per quintal price was settled. On 24.05.2023, 30 ton and 90 kg wheat was loaded in the truck to be delivered at its destination on 25.05.2023, but the truck in question did not reach there. On



inquiry, the informant came to know that accused persons, named in the F.I.R. including petitioner, sold the aforesaid wheat to another flour mill situated at Shahpur.

4. It is submitted on behalf of petitioner that the truck in question was already sold by this petitioner to Rahul Kumar Rai prior to lodging of present case i.e. on 02.05.2023 through a notarized affidavit and as such, petitioner has got no concern with the alleged crime.

5. However, learned A.P.P. for the State opposed the bail petition and submitted that petitioner is registered owner of the truck in question and from the confession of Rahul Kumar Rai, it is apparent that this petitioner in connivance with other co-accused persons sold the alleged wheat to another person.

6. Considering the aforesaid facts and circumstances, the prayer for anticipatory bail of petitioner is rejected.

(Prabhat Kumar Singh, J)

anay/-

U		T	
---	--	---	--

