

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51089 of 2023

Arising Out of PS. Case No.-36 Year-2016 Thana- HULASGANJ District- Jehanabad

1. Ramkrishna Mehta, aged about 45 years, male, S/o Jaynarayan Mehta, R/o Village- Dhargaon, P.S. Nawalshahi, Dist. Kodarma
2. Sadanand Mehta, aged about 35 years, male, S/o Late Sahdev Mehta, R/o Village- Nawadih, P.S. Domchanch, Dist. Kodarma, Jharkhand

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Paras Nath, Advocate
For the Opposite Party	:	Mr. Ramesh Chandra, A.P.P.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 19-08-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with Hulasganj P.S. Case No. 36 of 2016 dated 02.04.2016, instituted for the offence punishable under Sections 379 & 34 of the Indian Penal Code.

3. The prosecution case, in short, is that on 24.12.2016, a truck bearing Registration No. JH12F-0154 was seized by the District Transport Officer and parked under the supervision of the informant. It is alleged that at about 04:30 pm, the petitioner no. 1 who is the owner and petitioner no. 2 who is the driver of the said vehicle came and took the vehicle by



making false statement that it has been released by the concerned officer.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. The entire allegations levelled against the petitioners are false and concocted. It is further submitted that the truck was parked at the outside of the premises of Hulasganj High School. Further, the petitioners have taken away the vehicle and it was within the knowledge of the informant, who is chaukidar and custodian and therefore, no case is made out under Section 379 of the Indian Penal Code. Lastly, it has been submitted that they have no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for bail of the petitioners.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioners within a period of six weeks from today, in connection with Hulasganj P.S. Case No. 36 of 2016, they shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, subject to conditions as laid



down under Section 438(2) of the Criminal Procedure Code.

(Khatim Reza, J)

Gaurav Kumar/-

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