

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53056 of 2022

Arising Out of PS. Case No.-462 Year-2022 Thana- KHAGARIA District- Khagaria

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Ajaruddin Son Of Mijaj Khan Resident of village- Bijopur, P.S.- Sadar Alwar,
District- Alwar (Rajasthan).

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Indrajit Kumar, Adv.

For the Opposite Party/s : Mr. A.G

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 14-02-2023 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard learned counsel for the petitioner and the
learned APP for the State.

Petitioner seeks regular bail in connection with
Khagaria P.S. Case No. 462 of 2022 registered for the offences
punishable under Sections 406 and 407/34 of the Indian Penal
Code.

As per the prosecution, the informant's goods (*Maize*)
worth of Rs. 7,36,590/- which were loaded in a truck for
transportation, was misappropriated by the driver and owner of
the said vehicle. Further it is alleged that on enquiry from the
driver and owner of the alleged vehicle, they misbehaved with

the informant and denied to know anything about his goods.

At the outset, while advancing the submissions learned counsel for the appellant submits that the petitioner is stated to be the owner of the alleged truck in which the informant's grain (*Maize*) worth of Rs. 7,36,590 was loaded which was allegedly misappropriated by the driver of the petitioner's truck. However, the petitioner is ready to return the said amount of alleged misappropriated *maize* grain and in this regard a relief of provisional bail may be granted to the petitioner for some months.

Learned APP appearing for the State as well as learned counsel appearing for the informant is agree for the said proposal.

Considering the above submissions and mainly taking into account the fact that the offences alleged in the FIR are compoundable offences, in the opinion of this Court the petitioner deserves to a lenient approach of this Court. Accordingly, let the petitioner named-above be enlarged on provisional bail for five months on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Khagaria P.S. Case No. 462 of 2022.

In the meantime, the learned Court below will hold a conciliation meeting in between both the parties and if the petitioner compensates the informant by paying the amount of his grain of the price mentioned-above, then the learned Court below shall confirm the provisional bail and if the petitioner fails to return the said amount then the privilege granted by this Court's order shall stand cancelled automatically and the learned Court below will take steps to get the petitioner in custody in the present matter.

(Shailendra Singh, J)

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