

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61012 of 2023

Arising Out of PS. Case No.-162 Year-2023 Thana- RANIYATALAB District- Patna

1. Annu Kumari Wife Of Manoj Kumar Mohalla- Budha Colony South
Mandiri Ps- Budha Colony Dist- Patna
2. Raj Ballabh Mahto Son Of Pradeep Mahto R/O- Kasturi Chak Ps- Nayagaon
Dist- Saran

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Rajendra Prasad, Advocate

For the Opposite Party : Mr. Shyameshwar Dayal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 11-10-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with
Rani Talab P.S. Case No. 162 of 2023 dated 25.05.2023,
instituted for the offence punishable under Sections 379, 411,
414,420, 467 and 34 of the Indian Penal Code.

3. Allegation against the petitioners is of
transportation of overloaded sand on a Truck bearing Reg. No.
BR06GA-1662 by using the *challan* in the name of another
Truck bearing Reg. No. BR01GC-2255 from a long time which
causes loss to Government exchequer.

4. Learned counsel for the petitioners submits that the
petitioners are innocent and they have falsely been implicated in



this case. It is submitted that petitioner No. 1 is the owner and petitioner No. 2 is the driver of the said Truck. It is further submitted that there is dispute between Santosh Kumar (a resident of another village) and petitioner No. 2 for loading and carrying of the sand due to which the petitioners were made accused in this case by making false allegation. Lastly, it has been submitted that the petitioners 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 Rani Talab P.S. Case No. 162 of 2023, 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 Judicial Magistrate 1st Class, Danapur, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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