

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.66335 of 2022**

Arising Out of PS. Case No.-614 Year-2020 Thana- KHAGARIA District- Khagaria

1. Akhilesh Kumar @ Akhilesh Chaurasia @ Akhilesh Kumar Chaurasia Son of Ramanand Chaurasia Resident of Village- Maheshkhut, P.S.- Maheshkhut, District- Khagaria
2. Dablu Kumar Singh @ Dabloo Singh Son of Prasadha Narayan Singh Resident of Village- Maheshkhut, P.S.- Maheshkhut, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Chandra Mohan Jha, Advocate  
For the Opposite Party/s : Mr. Tapeswar Sharma, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      18-03-2023                      Heard learned counsel for the petitioners and learned  
APP for the State.

Petitioners seek bail in a case registered for the offences punishable under Sections 409, 420, 120B, 379, 34 of the Indian Penal Code.

The prosecution case, in short, is that informant had to send 26 tons and 210 Kgs. of wheat to West Bengal. The informant approached the Jai Kisan Transport Agency who gave him on rent a Truck bearing no. JH02AV3649 owned by the co-accused Mahendra Yadav. The informant sent the goods to Howrah on the said truck which was being driven by co-accused Nirmal Ram. However, the said truck did not reach Howrah for



delivery and when the informant tried to contact the driver as well as the owner of the truck, he found that their mobiles were switched off. It is alleged that the petitioners in conspiracy with the co-accused persons have fraudulently sold the goods of the informant, misappropriated Rs. 15,000/- given by the informant as advance money and have hidden the truck somewhere in order to conceal the evidence.

Learned counsel for the petitioners submit that the petitioners have clean antecedents and they have been falsely implicated in the present case on the basis of suspicion. He further submits that the petitioners are partners of the Transport Agency and as per allegation in the F.I.R. that the informant had booked the goods in question to the Transport Agency and the owner of the Transport Agency namely Sudhir Chaurasia and Chanchal Kumar Chaurasia @ Chanchal Chaurasia. He further submits that the petitioners have no concern at all with the alleged occurrence and the owner of the Transport Agency namely Sudhir Chaurasia and Chanchal Chaurasia have been granted bail by a Coordinate Bench of the Court vide order dated 13.12.2022 passed in Cr. Misc. No. 50792 of 2022. He further submits that the police after investigation submitted chargesheet against the petitioners and the petitioners are in



custody since 26.08.2022.

Learned APP for the State has opposed the prayer for bail of the petitioners.

Considering the facts and circumstances of the case, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Khagaria P.S. Case No. 614 of 2020, with the following conditions :-

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their



criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Rajesh Kumar Verma, J)**

Ibrar//-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

