

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1728 of 2023

Arising Out of PS. Case No.-264 Year-2021 Thana- PURNEA SADAR District- Purnia

1. VIJAY KUMAR CHOUDHARY @ VICKY CHOUDHARY SON OF LATE JAGDISH CHAUDHARY R/O VILLAGE- GULAB BAGH, POLOGRAM WARD NO.36, P.S.- SADAR, DISTRICT- PURNEA
2. ROHIT KUMAR @ ROHIT KUMAR SHARMA @ GOLUW SON OF GOPAL SHARMA R/O VILLAGE- GULAB BAGH, POLOGRAM WARD NO.36, P.S.- SADAR, DISTRICT- PURNEA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Radha Mohan Singh, Adv.
For the Opposite Party/s : Mr.Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 09-02-2023 Heard the parties.

The petitioners apprehend their arrest in a case registered for the offence punishable u/s 409, 419, 420 and 34 of the IPC.

As per F.I.R., there was a contract between the informant and one Satya Prakash Fouji for carriage of 35 tonnes maize crops for which the informant paid Rs.20,000/- but the consignment did not reach to its destination. It is alleged that petitioners threatened him to forget his money and maize crops.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case due to ulterior motive. No such occurrence, in the manner as alleged, has ever



taken place. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. Petitioner is only a staff of the Transport company and the transporter co-accused namely Satya Prakash Fouji has been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 21.09.2022 passed in Cr. Misc. No.66376 of 2021. Petitioners have no criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since petitioners are employees of the Transport Company and Transporter has been granted bail, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Sadar P.S. Case No.264 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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