

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.513 of 2023**

Arising Out of PS. Case No.-77 Year-2022 Thana- INDUSTRIAL District- Bhagalpur

Rajeev Kumar @ Rajeev Ranjan, Son of Prakash Choudhary @ Jai Prakash Choudhary, R/o Mohalla-Mirjanhat Road, Ishakchak, P.S.-Ishakchak, District-Bhagalpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ambrish Kumar Jha, Advocate

Ms. Anshuman Shreya, Advocate

For the Opposite Party/s : Md. Mohammad Sufyan, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

2 04-05-2023 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The accused/petitioner is named in the FIR and apprehending his arrest in connection with Bhagalpur Industrial Area P.S. Case No.77 of 2022 registered for the offences punishable under Sections 379, 120-B, 406 and 411 of the Indian Penal Code.

The allegation against the petitioner is to take away the truck loaded with stones, which was seized by the police and was parked on road adjacent to police station.

It is submitted by learned counsel that petitioner is neither the owner of alleged truck nor the driver and his name



surfaced on the basis of disclosure of the driver namely, Sanjay Yadav. It is submitted that save and except disclosure, nothing has been surfaced against this petitioner to connect with present occurrence and moreover, the co-accused, namely, Sanjeev Kumar Bhagat, who is owner of the said truck, has already been granted anticipatory bail by learned co-ordinate Bench of this Court vide order dated 13.12.2022 passed in Cr. Misc. No.48316 of 2022. It is submitted that the entire implication is false for the reason that the truck in question is still in possession of the police. While concluding argument, it is submitted that petitioner is a man of clean antecedent.

Learned Additional Public Prosecutor for the State opposes the prayer of bail.

In view of the above-mentioned facts and circumstances, and by taking note of fact that save and except disclosure, nothing surfaced against the petitioner, the above named petitioner, in the event of his arrest or surrender in the court below within a period of four weeks of this order, is directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhagalpur in connection with Bhagalpur Industrial



Area P.S. Case No.77 of 2022, subject to the conditions as laid
down under Section 438(2) of the CrPC.

(Chandra Shekhar Jha, J.)

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