

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.11622 of 2024**

Arising Out of PS. Case No.-1122 Year-2023 Thana- KHAJANCHI HAT District- Purnia

1. Annu Kumar Mishra Son of Shanker Mishra R/o vill - Jail Chowk, Sarvoday Nagar, P.S. - K. Hat, Distt. - Purnia
2. Vikash Kumar Mishra Son of Shanker Mishra R/o vill - Jail Chowk, Sarvoday Nagar, P.S. - K. Hat, Distt. - Purnia
3. Girish Yadav Son of Sita Ram Yadav R/o Poltechnic Chowk Maranga, P.S. - K. Hat, Distt. - Purnia

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                            |   |                                                                                |
|----------------------------|---|--------------------------------------------------------------------------------|
| For the Petitioner/s       | : | Mr. N.K.Agrawal (Sr.Adv.)<br>Dr. Bidhu Ranjan, Adv.<br>Ms. Diksha Kumari, Adv. |
| For the Opposite Party/s : |   | Mr.Aditya Narayan Singh.1                                                      |

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

2      22-02-2024                      Heard learned counsel for the parties.

2. The petitioners apprehend their arrest in a case registered for the offence under Sections 386, 379, 323, 504 of the Indian Penal Code.

3. Petitioners are named in the F.I.R. with allegation that on the day of the incident, when informant's truck driver was going towards Gulabbagh from the bypass road after getting fitness of informant's truck, bearing registration no. BR11GC-4748, all of a sudden the petitioners alongwith 4-5 other people stooped informant's truck, assaulted the driver and ran away with the truck. In course of search, the informant came



to know that his truck was at the house of petitioner no. 1 & 2. It is further alleged that when informant went to lodge a case, these petitioners threatened him to kill.

4. It is submitted on behalf of petitioners that no such occurrence, as alleged in the F.I.R., has taken place. The present case is counter blast of K.Hat (Sahayak) P.S. Case No. 998 of 2023. As a matter of fact, petitioner no. 1 Arun Kumar Mishra had taken informant's truck in lieu of his truck, bearing registration no. BR11GC-2720, and he also submitted a written report to the Maranga Police Station, vide Annexure P/4, clearly stating therein that due to breach of trust and cheating committed by the informant, he had taken informant's truck and as such, no case of theft is made out against any of the petitioners. Moreover, the truck in question has already been released in favour of informant. Petitioners have got clean antecedent.

5. Learned A.P.P. for the State has opposed the bail petition.

6. Considering the aforesaid facts and circumstances, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten



thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnia in connection with K.Hat (Maranga) P.S. Case No. 1122 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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