

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6523 of 2024

Arising Out of PS. Case No.-703 Year-2023 Thana- SAUR BAZAR District- Saharsa

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1. Subedar Khan Son of Mannan Khan R/o vill - ward no. 7, P.s. - Sugouli, Distt. - East Champaran
 2. Manish Kumar Son of Rakesh Ray R/o vill - Mahua, P.s. - Mahua, Distt. - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N. K. Agarwal, Sr. Advocate
	:	Mr. Nafisu Zzoha, Advocate
	:	Ms. Rabia Gulnaz, Advocate
For the Opposite Party/s	:	Ms. Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 16-02-2024 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Sour Bazar (Patarghat O.P.) P.S. case No. 703 of 2023, instituted for the offences under Sections 379 and 411 of the Indian Penal Code.

3. Prosecution story, in short, is that on the alleged date and time of occurrence, police intercepted a six wheeler



truck carrying electrical wires and other electrical materials approximately amounting to Rs. 13,65,499/-. On demand, no valid paper was produced with regard to the loaded articles.

4. Learned counsel for the petitioners submitted that petitioners have falsely been implicated in the present case merely on suspicion. Petitioner no. 1 is the worker of A.K. Enterprises, Motihari and petitioner no. 2 is the cleaner of the truck (as stated in para-15 of the bail petition). Learned counsel further submitted that petitioner no. 2, Manish showed tax invoice of A.K. Enterprises but police seized the truck and apprehended the petitioners merely on suspicion. Nothing has been recovered from the conscious possession of the petitioners. It has been submitted on behalf of the petitioners that the petitioners are in custody since 13.11.2023 and have no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case, clean antecedent of petitioners as well as the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners be released 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 Court
below/concerned Court in connection with Sour Bazar
(Patarghat O.P.) P.S. case No. 703 of 2023.

(Rudra Prakash Mishra, J)

Alok Verma/-

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