

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10790 of 2024

Arising Out of PS. Case No.-518 Year-2021 Thana- BIHIA District- Bhojpur

Bhushan Singh Son of Triloki Sharma @ Triloki Nath Singh Resident of
Village-Lalabhadsara, P.S.Dulhin Bazar, District-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akhauri Kamal Kishore Sahay, Advocate

For the Opposite Party/s : Mr. Raj Ballabh Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

- 3 18-04-2024 Heard learned counsel for the petitioner and the State.
2. Petitioner apprehends arrest in a case registered for the offences punishable under Sections 406, 420, 120B/34 of the Indian Penal Code.
3. As per the prosecution case, informant suspects that this petitioner along with other co-accused persons stole the goods of the informant in a planned manner which was loaded in their truck.
4. It is submitted on behalf of the petitioner that petitioner has been made accused only on the basis of confessional statement of co-accused. Though it is true that the petitioner is owner of the truck in question but as a matter of fact, co-accused Arvind Kumar had taken the truck of the petitioner under a lease agreement valid from 29.10.2018 to



28.10.2023 with a condition to pay Rs. 80,000/- per month as rent and during that period the alleged occurrence has taken place as such, petitioner cannot be held responsible. He next submits that the alleged goods have been recovered from the godown of one Radheyshayam Singh and petitioner has got no concern with the same. Petitioner has got clean antecedent.

5. Learned A.P.P. for the State vehemently opposed the bail application.

6. Considering the aforesaid facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-V, Bhojpur at Ara in connection with Bihiya P. S. Case No. 518 of 2021, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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