

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21770 of 2024

Arising Out of PS. Case No.-127 Year-2022 Thana- AWTARNAGAR District- Saran

ABHISHEK KUMAR SINGH S/O SHIVNATH SINGH R/O VILLAGE-
MEHRAULI, BAHIROPUR NIZAMAT, P.S- DORIGANJ, DISTT.- SARAN
AT CHAPRA (BIHAR).

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. MINES DEPARTMENT, SARAN AT CHAPRA. BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rakesh Kumar , Advocate
For the Opposite Party/s	:	Mr. Syed Mojibur Rahman, APP
For Mines	:	Mr. Naresh Dikpul , Advocate
		Mr. Brij Bihari Tiwary, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 12-07-2024 Heard learned counsel for the petitioner and the

State.

2. Petitioner apprehends arrest in a case registered for
the offence punishable under sections 341 , 323 , 384, 379 and
34 of the Indian Penal Code .

3. As per the prosecution case , it is alleged that
informant along with his companion chaukidar were deputed to
keep watch on 12 trucks which was seized in connection with
Awatar Nagar Police station Case No. 126 of 2022 but on
26.06.2022 at about 03:00 AM early in the morning, the owners
and drivers of the aforesaid trucks came and forcibly took away
the trucks and fled away .



4. Learned counsel for the petitioner submits that he has been falsely been implicated in this case merely because he happens to be the owner of the truck in question . The said vehicle was driven by the driver on the permission of the informant and as such the entire prosecution case is false and fabricated.

5 . However, learned counsel for the State opposed the prayer for bail and submitted that there is specific allegation against the petitioner that he is the owner of one of the seized the trucks whose number is UP-53 –AT-8045 and on the alleged date and time of occurrence , this petitioner along with other co-accused persons forcibly took away the seized trucks from the possession of the police which were seized in connection with Awatar Nagar Police station Case No. 126 of 2022 .

6. Considering the nature of accusation and also the fact that petitioner is owner of one of the seized vehicles, prayer for pre-arrest bail of the petitioner is rejected.

(Prabhat Kumar Singh, J)

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