

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21431 of 2024

Arising Out of PS. Case No.-250 Year-2023 Thana- KHODAWANDPUR District- Begusarai

1. Ashok Kumar Mahto @ Ashok Kumar son of Late Ramnarayan Mahto Village- Chalki Ps- Khodawandpur Dist- Begusarai
2. Rajeev Mahto @ Rajeev Kumar son of Babuprashad Mahto Village- Chalki Ps- Khodawandpur Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ashok Kumar, Adv.
For the State	:	Mr. Md. Mushtaque Alam, APP
For the Informant	:	Mr. Sandip Kumar Gautam, Adv.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 29-04-2024 By order dated 04.04.2024, the bail application in respect of petitioner no. 2, namely, Rajeev Mahto @ Rajeev Kumar, has already been withdrawn.

2. Heard learned counsel for petitioner no. 1, learned A.P.P. for the State and learned counsel for the Informant.

3. The petitioner apprehends his arrest in connection with Khodawandpur P.S. Case No. 250 of 2023 registered under Sections 420, 406, 407 and 34 of the Indian Penal Code.

4. It is alleged that the petitioners hired the Bolero Pick-up vehicle of the informant on 08.10.2022 at the rate of Rs. 15,000/- per month but they did not pay the agreed amount. The



agreement was written on a stamp paper. It is further alleged that when the informant asked about the return of the said vehicle then the petitioners told that they have sold the vehicle to *Kabari* at Samastipur.

5. Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and has falsely been implicated in the present case due to ulterior motive. Further submission is that as it is mentioned in the FIR that the informant had given his vehicle to petitioner on rent of Rs. 15,000/- per month and agreement was also executed on a stamp paper but no any agreement paper available on record, which falsify the whole prosecution story. Moreover it seems like there is money dispute between the parties. The petitioner has got no criminal antecedent.

6. Having considered the facts and circumstances of the case, let the petitioner, namely, Ashok Kumar Mahto @ Ashok Kumar, be released on bail, in the event of arrest or surrender before the learned court below within a period of six weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Sub-Divisional Judicial Magistrate, Manjhaul, Begusarai in connection with Khodawandpur P.S. Case No. 250



of 2023, subject to the conditions as laid down under Section
438(2) of the Cr. P.C.

(Prabhat Kumar Singh, J)

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