

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28875 of 2024

Arising Out of PS. Case No.-94 Year-2021 Thana- SARSI District- Purnia

Vijay Swarnkar @ Vijay Kumar S/O Radheshyam Swarnkar R/O Village-
Budhiya Gola, Mahadeopur, P.S- Sarsi, Distt.- Purnea.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Jha

For the Opposite Party/s : Mr.Anil Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 19-07-2024 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.
2. The petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 379 and 411 of the Indian
Penal Code.
3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and owns a grocery shop.
4. It is next submitted that informant alleges that he sent
rice, as detailed in the FIR, for delivering it to two named sellers at
Purnea by truck, but the rice did not reach, on enquiry it was found
that owner and driver of the truck unloaded 700 sacks of rice at
warehouse of Mehtab Alam, which was to be delivered to the seller
Pintu Barnawal, further the accused persons are intending to sell the
rice.
5. Learned counsel submits that petitioner had purchased



the rice from Mehtab Alam and he was not aware that the rice in question was stolen one. It is further submitted that Pradeep Kumar Gupta, the driver of the truck, had approached this Court seeking anticipatory bail by filing Cr. Misc No. 31459 of 2023 and the same was allowed by an order dated 31-7-2023, after considering his case on merits. It is thus submitted that the case of the petitioner is on a much better footing.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Sarsi P.S. Case No. 94 of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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