

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44273 of 2024

Arising Out of PS. Case No.-749 Year-2022 Thana- PURNEA SADAR District- Purnia

Munna Kumar S/O Anil Kumar Singh R/O Polytechnic Chok, P.S. K.Hat,
Distt-Purnea

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md Fazle Karim

For the Opposite Party/s : Mr.Rita Verma

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 04-09-2024 Heard the parties.

2. The accused/petitioner is named in the F.I.R. and apprehend his arrest in connection with Purnea Sadar P.S. Case No. 749 of 2022 registered for the offences punishable under Sections 406 and 420/34 of the Indian Penal Code.

3. The allegation against the petitioner is to cheat informant, as not to deliver the goods through his truck bearing BR 11S 3218 even after receiving the hiring charge.

4. Learned counsel appearing on behalf of the petitioner submitted that implication of petitioner is false



for the reason that when petitioner raised a demand regarding previous dues from informant being owner of the truck, the present false case was lodged. It is submitted that informant is a transporter with whom petitioner generally provide his trucks for hiring. It is also pointed out that present FIR was lodged with an unexplained delay of about 16 days, suggesting only an afterthought and false implication. It is also submitted that co-accused, Raja Kumar Singh @ Raja Singh, has already granted privilege of anticipatory bail by learned Court below itself. While concluding the argument, it is submitted that the petitioner is a man of clean antecedent.

5. Learned APP for the State, opposes the prayer of bail.

6. Considering the aforesaid facts and circumstances of the case, as FIR was lodged after delay of 16 days without any just explanation against this petitioner, where, he is a man of clean antecedent let



above named petitioner, in the event of his arrest or
surrender before learned court below within a period of
four weeks, is directed to be released on bail, furnishing
bail bond of Rs. 10,000/- (Rupees Ten Thousand) with
two sureties of the like amount each to the satisfaction
of the learned Chief Judicial Magistrate, Purnea
*concerned Court, where the case is pending in
connection with Purnea Sadar P.S. Case No. 749 of
2022, subject to the conditions as laid down under
Section 438(2) of the Cr.P.C. / Section 482(2) of BNSS.*

(Chandra Shekhar Jha, J)

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