

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45480 of 2024

Arising Out of PS. Case No.-24 Year-2024 Thana- NTPC District- Patna

Rohit Kumar @ Rohit Singh S/o Late Nawal Kishore Singh R/o Village
Moldiyar Tola, Ward No.11, P.S.- Mokama, Distt- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Adv.

For the Opposite Party/s : Mr. Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 20-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with NTPC P.S. Case No. 24 of 2024 registered for the offences punishable under Sections 420, 379, 409 and 427/34 of the Indian Penal Code and Section 7 of the Essential Commodities Act.

3. Allegedly the petitioner who happens to be the owner of truck bearing registration no. BR 53A 8432 indulged in sprinkling water on the rice kept in the truck with a view to make the rice more weighing so that additional rice may be unloaded and misappropriated.

4. Learned counsel for the petitioner contended that only the petitioner being owner of the truck in question has been



made accused in this case. However, this is the fact that the truck in question was engaged for the purposes of carrying wheat by the driver and *khalasi*. The petitioner has no concern with sprinkling water on the rice in order to increase its weight. The petitioner was neither found present at the place of occurrence nor there is any material suggesting that he ever directed the driver or *khalasi* of the truck in question for sprinkling water. Moreover, co-accused Munna Yadav @ Munna Kumar, who is said to be driver of the truck in question has been allowed to the privilege of anticipatory bail vide order dated 30.05.2024 passed in Cr. Misc. No. 36325 of 2024 (Annex-P/2).

5. On the other hand, learned counsel for the State opposed the pre-arrest bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the petitioner is the owner of the truck in question, was plying his truck for carrying goods by the driver, coupled with the fair antecedent and the fact that the driver has already been allowed the privilege of anticipatory bail, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail



bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-I, Barh, Patna in connection with N.T.P.C. P.S. Case No. 24 of 2024, subject to the conditions laid down in Section 438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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