

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46210 of 2024

Arising Out of PS. Case No.-12 Year-2024 Thana- NEMDARGANJ District- Nawada

Guddu Kumar @ Guddu Kumar Sharma Son Of Gogendra Sharma R/O-
Ward No,6, Near Shiv Mandir, Daud Nagar, P.S.- Bidupur, Distt.- Vaishali

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Ranjit Kumar Thakur, Adv
For the Opposite Party : Mr. Choubey Jawahar, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

4 13-11-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Nemdarganj P.S. Case No. 12 of 2024 dated 10.01.2024 registered for the offences punishable under Sections 406, 420, 120B and 379/34 of the I.P.C.

3. As per the prosecution case, the informant has agreed to hand over his Truck bearing Registration No. JH12G1637 to the co-accused, Chotu Kumar on instruction of the driver Basant Yadav, Kodrama, Jharkhand, on the hire for Rs. 80,000/- per month. Later on, the informant gave his vehicle to the office of Amar Jyoti as per instruction of the co-accused, Chotu Kumar and an agreement was made between them for Rs.



80,000/- per month. When the informant came on 03.01.2024 to the office of Amar Jyoti, he found his vehicle missing. On query, the co-accused, Chotu Kumar has said that his vehicle went to Sherghati for loading but the informant did not believe and later on, he came to know that the co-accused Amar Jyoti, Rahul Kumar @ Chhotu, Purushottam Kumar and Gautam Kumar sold his vehicle after committing theft. The informant searched his vehicle several times but he did not find. Thereafter, it has come to the knowledge of the informant that the case has been lodged against them in Nemdarganj police station. The informant has also lodged the present case against them for committing theft of his vehicle.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the F.I.R. The name of the petitioner has sprung up in the confessional statement of the co-accused, Ranjit Kumar. The other co-accused person has already been granted bail by this Court *vide* order dated 04.07.2024 passed in Cr. Misc. No. 39390/2024. The petitioner has five criminal antecedents as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently



opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Nawada in connection with Nemdarganj P.S. Case No. 12 of 2024, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure, with further condition:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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