

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46673 of 2024

Arising Out of PS. Case No.-22 Year-2017 Thana- PANDARAK District- Patna

Nitu Singh, Wife of Dharmendra Kumar Singh, Resident of Village- Nagrah,
P.S- Naugachhia, Dist- Bhagalpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Kashyap, Advocate

For the Opposite Party/s : Mr. Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 13-08-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner in the present case is seeking pre-arrest bail in connection with Pandarak P.S. Case No. 22 of 2017 registered for the offences punishable under Sections 379, 420, 406, 120(B) of the Indian Penal Code. She has got no criminal antecedent.

3. As per the prosecution story, on 19.03.2017 after loading carbon on the truck, the driver (Lalan Prasad) of the truck bearing registration no. 0R05AB/2313 parked the truck near his house and went to sleep. In the morning, he saw that the truck was not there. It is alleged that some unknown persons have stolen the truck.

4. Learned counsel for the petitioner submits that the petitioner had no role in the alleged occurrence. She is the

owner of the truck and the informant of the case who happens to be the truck driver was suspected in course of investigation, the said truck driver has been granted privilege of pre-arrest bail in Criminal Miscellaneous Case No. 28095 of 2023 vide order dated 07.07.2023. It is submitted that the petitioner being a lady and the affair of the truck was being handled by her husband, she would deserve privilege of pre-arrest bail.

5. Learned APP for the State has though opposed the prayer for pre-arrest bail of the petitioner but considering the facts and circumstances of the case wherein the petitioner is said to be the owner of the truck, the driver of the truck has been granted privilege of pre-arrest bail and nothing has been brought to the notice of this Court to show even *prima-facie* the complicity of the petitioner in the alleged theft of the truck, this Court directs that in case of her arrest or surrender within a period of four weeks from today, the petitioner above named be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-1st Barh, Patna in connection with Pandarak P.S. Case No. 22 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

6. And further condition that the court below shall

verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed her criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. This application stands allowed.

(Rajeev Ranjan Prasad, J)

SUSHMA2/-

U		T	
---	--	---	--