

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45309 of 2024

Arising Out of PS. Case No.-259 Year-2023 Thana- ALAMNAGAR District- Madhepura

Sudhir Chaudhary Son of Panchu Chaudhary Resident of Village - Anandpur,
Police Station - Sonapur, District - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Nand Kishore Prasad , APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 29-07-2024 Heard learned counsel for the petitioner and the
State .

2. Petitioner apprehends arrest in a case registered for
the offence punishable under sections 420, 379 and 34 of the
Indian Penal Code .

3. As per the F.I.R., informant suspects that this
petitioner along with other co-accused persons have stolen the
maize of the informant which was loaded on a truck bearing
registration No. 33GB – 4739 which was provided by the
transporter.

4. Learned counsel for the petitioner submits that
petitioner is owner of the truck bearing Registration No. 33GB-
4739. It is further submitted that on 27.09.2023 , the truck of the
petitioner was seized by the Gorakhpur R.T.O. (UP) under



Section 207(2) of UP Motor Vehicle Act read with Section 22(2) of UP Motor Vehicle Tax 1997 for overloading the truck with sand. The compounding fee of Rs 1,26,820/- (One Lac Twenty Six Thousand Eight Hundred and Twenty) was deposited by the owner of the truck on 03.10.2023 at 4.26 PM i.e., Annexure P/3 to this bail petition and thereafter it was released in favour of petitioner. As such the entire prosecution case is falsified. Petitioner claims clean antecedent.

5. Learned counsel for the State opposes the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioner, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate - 1st Class, Udakishunganj , Madhepura in connection with Alamnagar P.S. case No. 259 of 2023 , subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure .

(Prabhat Kumar Singh, J)

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