

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49437 of 2024

Arising Out of PS. Case No.-814 Year-2022 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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Anupam Kumar Sahu S/O Late Ranjeet Kumar Sahu R/O Mohalla- Rahul
Nagar, Singh Colony, Damodarpur, P.S- Kanti, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Hari Kishore Thakur
For the Opposite Party/s : Mr.Parmanand Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

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

2. The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 408, 379
and 34 of the Indian Penal Code.

3. As per allegation in the FIR, petitioner along with
other came at the house of the informant and told that they have
taken tenders for delivering the goods as such, they are in need
of some vehicle and told that they will pay Rs. 90,000/- per
month if he will give his commercial vehicle Truck bearing Reg.
No. BR06GD-3032 upon which the informant agreed and Rs.
90,000/- was paid through the account of this petitioner for two
months but after that when informant demanded his decided



money then petitioner told that his vehicle was stolen and he is making search but presently, there is no clue of the vehicle. Thereafter, this FIR has been registered.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. It is further submitted from para-8 of this petition that petitioner has not committed any offence and he has falsely been implicated in this case due to dirty local politics and during the course of investigation, no any cogent material has come against him and no case of theft or misappropriation is made out against the petitioner and from perusal of column 7 of the FIR, it is evident that petitioner was not named in FIR and his name has been added on 09.01.2024 although this case was lodged on 07.12.2022 which indicates that this petitioner has been made accused in this case at the belated stage due to ulterior motive by the informant. The alleged vehicle has not been recovered from the possession of the petitioner. Moreover, he is languishing in judicial custody since 21.03.2024.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and



considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Sadar P.S. Case No. 814 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur with following conditions:-

(i) Petitioner shall co-operate in the trial and shall be present on each and every fixed date and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(ii) If the petitioner tampers with the evidence or threatens the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(iii) In case, the petitioner repeats offence of similar nature after enlargement on bail, his bail-bonds will be cancelled by the Court below.

(Sunil Kumar Panwar, J)

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