

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53056 of 2024

Arising Out of PS. Case No.-245 Year-2024 Thana- HILSA District- Nalanda

Shailendra Kumar @ Shailendra Kumar Nagar Parishad Ka Thikdaar S/O
Suresh Prasad R/O Village- Puna, P.S- Hilsa, Distt.- Nalanda.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Vaishnavi Singh

For the Opposite Party/s : Ms.Sucheta Yadav

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 30-07-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 341, 323,
384, 386, 387, 504 and 34 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of one case as stated in the
supplementary affidavit. It is next submitted that informant
alleges that one Ganesh was apprehended collecting toll
forcefully from the vehicles without any authority and from his
possession Rs. 17,055/- was recovered along with receipt books
on which it was written "City Council, Hilsa Contractor" and
Ganesh confessed that he was collecting toll on order of
petitioner.



4. Learned counsel for the petitioner submits that the police in a mechanical manner has implicated the petitioner in the instant false case alleging that the toll was being collected by Ganesh on order of the petitioner. It is further submitted that from perusal of the allegation as alleged in the FIR, it would manifest that police also recovered certain receipt books on which it was written "City Council, Hilsa Contractor", which amply demonstrates that Ganesh was collecting toll for which he was issuing receipts. It is also submitted that petitioner, being the lowest bidder, was awarded the tender for collecting toll near Old Gas Godown, Hilsa. It is submitted that Ganesh was apprehended from Kamta More as such it is alleged that he was collecting tolls without any authority. Learned counsel submits that at para-13, it has been specifically pleaded that Old Gas Godown, Hilsa and Kamta More is the same place as such the petitioner had directed Ganesh to collect tolls from all the vehicles coming from the said place.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court



within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Hilsa P.S. Case No. 245 of 2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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