

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53135 of 2024

Arising Out of PS. Case No.-4 Year-2024 Thana- NEMDARGANJ District- Nawada

Ranjit Kumar S/O Chandeshwar Sharma @ Chandeshwar Ram @ Chandrashekhar Sharma @ Chadrashkekhar @ Shekhar R/O Village- Bidupur Bazar, Station Road, P.S- Bidupur, Distt.- Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravish Mishra, Adv.

For the Opposite Party/s : Mrs.Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 14-08-2024 Heard learned counsel for the petitioner and learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Nemdarganj P.S. Case No. 04 of 2024 dated 06.01.2024 registered for the offences punishable u/ss 406, 420 read with Section 34 of the Indian Penal Code.

3. As per the prosecution case, the informant owned fourteen wheeled truck bearing Reg. No. JH12H-3787 and on 30.12.2023, he handed over it to Rahul Kumar @ Chhotu through Rajkumar Yadav for loading paddy. However, due to strike, Rahul Kumar @ Chottu instructed him to park his truck at the HP Petrol Pump in the village Badahori saying that



loading was currently stopped due to strike. On 03.01.2024, when the informant's truck driver Ruplal Saw arrived at the petrol pump to take the truck, he found that the said truck was not there. When the informant contacted the co-accused, Rahul Kumar @ Chhotu and he conveyed that his truck is in Sherghati then he went there but he did not find his truck. On being asked about the truck, Rahul Kumar @ Chhotu switched off his mobile.

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 petitioner was remanded in this case from Akbarpur P.S. Case no. 03/2024 after that the petitioner was made accused in another eight cases in the same year 2024 within two weeks. The occurrence took place on 03.01.2024 but the F.I.R. was lodged on 06.01.2024 after a delay of two days and there is no explanation for this delay. Nothing has been recovered from the conscious possession of the petitioner. It is further submitted that the petitioner has no concern with the alleged offence. The petitioner has eight criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 19.02.2024.

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



opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Nawada in connection with Nemdarganj P.S. Case No. 04 of 2024 with the 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 bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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