

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56819 of 2024

Arising Out of PS. Case No.-57 Year-2024 Thana- RAMGARHWA District- East Champaran

Ramprit Gupta, Son Of Butan Gupta, Village- Laxmipur, Raxaul, Ps- Raxaul,
Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
For the Petitioner/s : Mr. Rajesh Ranjan, Advocate
For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 31-08-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner is apprehending his arrest in connection with Ramgarhwa P.S. Case No. 57 of 2024 registered for the alleged offences under Sections 379, 120-A and 120-B/34 of the Indian Penal Code.

3. As per prosecution case, the informant engaged the petitioner for transportation of consignment worth of Rs. 18,23,675/-. However, the consignment went missing and the informant raised his apprehension that the transporter and the truck owner/driver were involved in stealing the consignment.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Petitioner is a transporter and



when the consignment went missing, prior to lodging of this FIR, the petitioner gave a written report to the SHO, Ramgarhwa on 05.03.2024 but the FIR was not lodged till 12.03.2024, the petitioner has filed Complaint Case No. 111 of 2024 on 12.03.2024 before the learned S.D.J.M., Raxaul at Motihari making the owner and the driver accused. Meanwhile, the instant case has been lodged against the petitioner. Learned counsel further submits that from the FIR, it is evident that the petitioner is made accused merely on suspicion. Petitioner is having clean antecedent.

5. Learned APP opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the vague nature of allegation and further considering the absence of material to connect the petitioner with the offence as alleged and also considering the clean antecedent of the petitioner coupled with possibility of false implication, let the petitioner named above, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like



amount each to the satisfaction of learned S.D.J.M., Raxaul at Motihar, East Champaran/court concerned in connection with Ramgarhwa P.S. Case No. 57 of 2024, subject to the condition laid down under section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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