

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58394 of 2024

Arising Out of PS. Case No.-16 Year-2024 Thana- NEMDARGANJ District- Nawada

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Amlesh Kumar Yadav Son of Virendra Yadav R/O Vil.- Bhaluka Tola,
Banjhipyar Pain, P.S.- Barhat, Dist.- Jamui

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Adv

For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 28-08-2024 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. 16 of 2024 dated 13.01.2024 registered for the offences punishable u/s 406, 420 read with section 34 of the Indian Penal Code.

3. As per the prosecution case, the informant Vinod Yadav is the owner of the 14 wheeler truck. The informant, on an earlier occasion, had a talk with the petitioner that his truck would be taken on rent for Rs. one lac forty thousand per month and in continuation of that talk, the informant received the said amount from the petitioner and parked his truck at Panchgawan



More, near the house of the petitioner and entrusted the truck to him. Further, the petitioner said that work is not available at present and on his direction the informant's driver left the truck and went to his house. On 03.01.2024, when the informant checked the GPS location of this truck, it was found that GPS was not working and when the informant reached the house of the petitioner he saw that the truck was not parked there. On being asked, the petitioner said that he is not aware about the missing of the truck.

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 name of the petitioner was disclosed by the co-accused Amar Jyoti. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has two criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 16.04.2024.

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 and the nature of allegation levelled against the petitioner 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. 16 of 2024, with a condition/s:-

(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 cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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