

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67408 of 2023

Arising Out of PS. Case No.-243 Year-2023 Thana- WAJIRGANJ District- Gaya

1. Rakesh Kumar Singh @ Rakesh Kumar Son Of Late Ramadhar Singh Mohalla- Siddharthpuri Colony Manpur Ps- Muffasil Dist- Gaya
2. Patar Singh @ Sanjay Kumar Son Of Ambika Singh Village- Manjhauli Ps- Wazirganj Dist- Gaya
3. Bhim Pandey @ Ajay Pandey Son Of Late Keshwar Pandey @ Keshar Pandey Village- Manjhauli Ps- Wazirganj Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivendra Prasad
For the Opposite Party/s : Mr.Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 24-01-2024 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 379,411, 414, 34 of the Indian Penal Code and Rule 4(A), MM (D&R) Rule 1957, Rule 2019, / Section 11/18 and MM (D&R) Rule 2022 Section 56.

3. As per FIR, petitioners used to make theft of stone chips and transport it in an unauthorized manner to the other state.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in



this case. He submits that the petitioner no. 1 is the owner of the truck and he is an authorised supplier of quartzite and stone chips since 2014 within the state and outside the state. The petitioner no. 2 is a police constable who at the relevant time was deputed as body guard of Special PP, Jail Court, Patna and petitioner no. 3 is villager who has no relation with either the stone chip on the transport business. He submits that one of the officials of Mines Department had accepted that the challan produced by the petitioners and challan seized from the truck was found to be genuine. He submits that the truck of the petitioner was carrying stone material under valid challan. He further submits that petitioners have no criminal antecedent as stated in para-3 of the bail application.

5. Learned APP for the State opposes the prayer for bail.

6. Considering the facts and circumstances of the case, let the above named petitioners in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court



in connection with Wazirganj P.S. Case No. 243 of 2023,
subject to the condition as laid down under Section 438 (2) of
the Cr.P.C.

(Anjani Kumar Sharan, J)

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