

Arising Out of PS. Case No.-8 Year-2024 Thana- NEMDARGANJ District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivnandan Bharti , Advocate

For the Opposite Party/s : Mr. Akbar Ali , APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 06-12-2024 Heard learned counsel for the petitioner and
learned A.P.P. for the State .

2. Petitioner seeks regular bail in a case registered for the offence punishable under Sections 406 and 420 of the Indian Penal Code .

3 . As per the prosecution case, the informant has given the truck bearing registration number JH12L5715 for the purpose of running it on rent, and he talked with Rahul @Chhotu Kumar. The informant stated that he took Rahul to Chhotu Kumar at the office of Amar Jyoti at Panchgawan, where they argued about giving the truck on rent at the rate of Rs. 13000/- per month. On 17.12.23, Rahul @Chhotu Kumar parked the vehicle near his office, and further, from 17.12.23 to 13.12.23, he used the vehicle, and after that, he parked the



vehicle near the office and said that he shouldn't bother about the vehicle and further assured that the vehicle is in his custody. The informant further stated that on 3.1.24, when the informant reached them, he saw that the vehicle was not found, and then he called Rahul @ Chhotu Kumar and asked about the said vehicle on the telephone. The accused, Rahul @ Chhotu Kumar, said that he had sent the vehicle to Sherghati, and further, when the informant went to Sherghati, he found that the vehicle was not there. The informant lastly alleged that when he again called Rahul @ Chhotu Kumar, then he found that his phone was switched off. On the basis of the above facts, the present case has been instituted.

4. Learned counsel for the petitioner submits that petitioner is not named in the F.I.R. and the name of petitioner transpired during course of investigation . Nothing has been recovered from conscious possession of the petitioner and he has been made accused only on suspicion . Petitioner is in custody since 11.01.2024 . No Test Identification Parade has been conducted till date .

5 . Learned A.P.P. for the State vehemently opposed the bail application .

6. Considering the aforesaid facts of the case and



period of custody, the bail application is allowed. Let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM Nawada in connection with Nemdarganj P. S. Case No. 08 of 2024 .

(Prabhat Kumar Singh, J)

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