

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71212 of 2024

Arising Out of PS. Case No.-104 Year-2024 Thana- INDUSTRIAL District- Bhagalpur

Md. Khurshid Son of Md. Idris R/O Muslim Tola Mahadevganj, P.s.-
Mufassil, Dist.- Sahebganj, Jharkhand

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Firoz Ahmad

For the Opposite Party/s : Mr.Nawal Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 211-11-2024
1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail, arises out of Industrial Area Police Station Case No. 104 of 2024, dated 21.06.2024, disclosing offences punishable under Sections 224/353/364/504/34 of the Indian Penal Code.

3. The prosecution case, as per the First Information Report, is that on 21.06.2024 in the morning, while the informant-Police Officer was engaged in the checking of vehicles, one 14-wheel truck was intercepted, bearing registration no. BR 10GB/3304, which was overloaded with stone chips, and the truck driver was told to drive the vehicle towards Hawaii Adda, but the driver of the truck brought the vehicle near zero mile. In the mean while, the owner



of the truck (petitioner) arrived there and told the Constable to come out of the truck and on his instruction, the driver of the truck started driving the truck towards Naugachia. The petitioner was going ahead of the truck on a motorcycle. At the check-post, the driver of the truck was stopped and was arrested by the police.

4. Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case with mala fide intention merely because he happens to be the owner of the truck, in question. The petitioner is having no criminal antecedent and the driver of the truck has already been arrested by the police and the 14-wheel truck, in question, was seized, as would be evident from the seizure list, dated 21.06.2024.
5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the nature of allegation and the fact that the petitioner is the owner of the truck, in question, and he has got no criminal antecedent, I am inclined to grant the petitioner privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioner, above named, in the event of his arrest



or surrender before the Court below within a period of four weeks from today, 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 learned Judicial Magistrate, 1st Class, Bhagalpur, in connection with Industrial Area Police Station Case No. 104 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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