

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67301 of 2023

Arising Out of PS. Case No.-788 Year-2023 Thana- AHYAPUR District- Muzaffarpur

ABDUL JABBAR S/O LATE ABDUL JALIL @ LATE JALIL MIAN R/O
VILLAGE- CHHAPRA DHARAMPUR YADU, NH-28, LASKARIPUR,
P.S- KANTI, DISTT.- MUZAFFARPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bhaskar Shankar, Advocate
For the Opposite Party/s	:	Mr. Anuj Kumar Shrivastava, A.P.P.
For the Informant	:	Mr. Naresh Dikshit, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 27-02-2024 Heard learned counsel for the petitioner, informant
and the State.

2. Petitioner apprehends arrest in a case registered for the offences punishable under Sections 419, 420, 467, 468, 401, 414, 379/411 of the Indian Penal Code, Section 4/21 of the Mines And Minerals (Development And Regulation) Act, 1957, Section 11/56 of the Bihar Mines Illegal Transportation and Storage Rules, 2019 and Sections 177/192 (39) (56) of the Motor Vehicle Act.

3. Informant alleges that he saw two trucks bearing same Registration No. BR06G 5454, loaded with sand and when he signaled the drivers to stop the trucks, they tried to flee. Both the drivers were apprehended but one of the driver did not



produce any valid document and on questioning they disclosed that petitioner is owner of the trucks in question.

4. Learned counsel for the petitioner submits that petitioner has got no concern with the fake registration number vehicle driven by co-accused Ali Hassan which could easily be verified by the alleged truck's chesis number or engine number. Petitioner is real owner of the truck bearing Registration No. BR06G5454 and all the papers of the very vehicle are up-to-date and he has no knowledge as to who was utilizing the registration of his vehicle. It is further submitted that petitioner has been made accused only on confessional statement of the apprehended driver. Petitioner claims clean antecedent.

5. Learned counsel for the informant vehemently opposes the bail application.

6. Considering the facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Muzaffarpur in connection with Ahiyapur P. S. Case No. 788 of 2023, subject to



condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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