

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85115 of 2023

Arising Out of PS. Case No.-80 Year-2022 Thana- BHELDI District- Saran

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1. Md. Sarfaraz @ Md. Sodfraz Son Of Md. Abrar Alam Village- Gopalpur Maharatha Ps- Kanti Dist- Muzaffarpur
 2. Sohan Sahni @ Sehan Sahni Son Of Bindeshwari Sahni Village- Pureniya Ps- Lalganj Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nawal Kishore Singh

For the Opposite Party/s : Mr. Rajesh Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 15-01-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 379 of the Indian Penal Code.

3. As per the prosecution case, the informant along with two other persons were deputed for looking after the trucks. In the meanwhile, they saw that a Haeva vehicle which was loaded with sand, the accused persons after unloading it ran away with the truck through the drain canal.

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



case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that the petitioners are the owner and the driver of the said vehicle. He further submits that there is no specific overt act against the petitioners. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

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

6. Having regard to the facts and circumstances of the case, arguments of the parties and from perusal of the records, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, 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 lower Court where the case is pending/successor Court in connection with Bheldi P.S. Case No.80 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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