

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18564 of 2025

Arising Out of PS. Case No.-490 Year-2024 Thana- SASARAM NAGAR District- Rohtas

Skand Kumar @ Guddu Kumar Son of Chotelal Prasad Resident of Village -
Ugahnidih Tola, Barej, P.S. - Garhara, District - Kaimur (Bhabhua)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Siddharth Harsh, Advocate
For the State : Dr. Ajeet Kumar, APP
For the Informant : Mr. Sanjeev Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 14-07-2025 Heard Mr. Siddharth Harsh, learned counsel for the

petitioner, Mr. Sanjeev Kumar, learned counsel for the

informant as well as Dr. Ajeet Kumar, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Sasaram(T) P.S. Case No. 490 of 2024, F.I.R.
dated 11.06.2024 for the offences punishable under Sections
379, 420 and 120B of the Indian Penal Code.

3. According to prosecution case, the informant
has hired the transportation services of the petitioner for
transporting rejected rice from Kaimur to Dhanbad but the same
never reached its desitnation i.e. Dhanbad.

4. Learned counsel for the petitioner submits that



petitioner has clean antecedent and he has falsely been implicated in the present case. In fact, the petitioner is a proprietor of Rajasthan Gujarat Haryana Transport Company and the petitioner has a truck to provide transport service to the customer. He further submits that the petitioner has a truck owned by one Rajesh Kumar and this petitioner provides service to the informant and the goods in question of the informant are loaded in the said truck and after some time, the mobile phone of the driver was found switched off. Despite, the best efforts, the petitioner neither found the driver nor the truck in question. He further submits that the real culprit in the present case is co-driver and the driver of the truck in question and the petitioner has no role at all in the present crime in question. Nothing has come during the investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence.

5. The learned Additional Public Prosecutor and learned counsel for the informant have vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, the petitioner has clean antecedent and no material has come during investigation against the petitioner to suggest the involvement of the petitioner in the present



occurrence, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 Chief Judicial Magistrate, Rohtas at Sasaram in connection with Sasaram(T) P.S. Case No. 490 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ 482(2) of the BNSS, 2023 and with other following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for



cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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