

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.39416 of 2024**

Arising Out of PS. Case No.-222 Year-2023 Thana- ARARIA District- Araria

Lalit Kumar S/O Rajendra Singh R/O Village- Bari Mata Shamli, P.S.-  
Aadarsh Mandi, Dist- Shamli (UP)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Md. Shahanbaj Khan S/o- Md. Aftab Resident of Chaudhary Mohalla,  
Husenabad, Ward No.-26, PS- Katihar Sadar Dist- Katihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Madhav Jha, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

**CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY**  
**ORAL ORDER**

7      04-03-2025                      Heard learned counsel for the petitioner, Mr. Sanjay Kumar Tiwary, learned APP for the State and learned counsel for the informant.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under Sections 406, 407 and 420 of the Indian Penal Code, 1860.

3. The case of the prosecution is that there is junk godown in the name of Araria Iron Scrap owned by the informant. On 24.02.2023 junk worth Rs.12,18,043.20 was uploaded on a truck bearing registration No. UP12AT1240 to deliver it at UP Bone Mills Private Limited, but it was not delivered there. The driver of the truck was Lalit Kumar (petitioner). The co-driver of the truck was Aas Mohammad @



Asu Likra. It is also alleged that one Arun Kumar is also involved. All are resident of U.P. These accused persons thatching conspiracy and has sold the junk anywhere else.

4. Learned counsel for the petitioner submits that the petitioner is admittedly the driver of the truck on which the junk was loaded. It is further alleged that in this case the petitioner has confessed his guilt but there is no recovery from his possession. The petitioner is in custody since 14.12.2023.

5. Learned counsel for the informant has submitted that the petitioner is resident of U.P., if he will be granted bail then he will flee away. It is also submitted that the petitioner is having criminal antecedent of three cases. The status report from the trial court has been called and from perusal of which it transpires that in this case charge has been framed and the case is being fixed for evidence. The next date of the case is fixed on 14.02.2025. The learned counsel for the informant has also submitted that two witnesses have been examined.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail with the condition that he will furnish local baliors and that he will co-operate in the trial and shall be present on each and every date physically failing which his bail bonds shall be cancelled. The above named



petitioner is directed to be released on bail in connection with Araria P.S. Case No. 222 of 2023 on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned court of CJM, Araria.

7. Accordingly, the present bail application stands allowed.

(Ashok Kumar Pandey, J)

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