

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44804 of 2024

Arising Out of PS. Case No.-53 Year-2024 Thana- GOH District- Aurangabad

Rakesh Kumar Singh @ Rakesh Kumar Ranjan S/o Late Satyendra Singh R/o
vill - Rachaul, P.S. Madanpur, Distt. - Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aman Vishal, Adv

For the State : Mr.Choubey Jawahar, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

10 22-04-2025 Heard learned counsel for the petitioner, and the
State.

2. Petitioner apprehends his arrest in connection with
Goh P.S.Case No. 53 of 2024 registered for the offences
punishable under Section 379 of the Indian Penal Code.

3. The FIR discloses the fact that the petitioner, who
was the transporter, was to load and carry 711 bags of rice from
Goh Aurangabad, Bihar to Baliya, U.P. The consideration
amount is Rs. 34,000/- and he was paid an advance of Rs.
9,300/- for the said purpose. It is stated that he started from the
place on 22.02.2024 and was to reach his destination on
24.02.2024. Later on the informant realized that he could not
contact the present petitioner and the food grains of Rs.
7,54,204/- was not delivered at the place concerned but was



delivered at M/s Baba Agro Foods Ltd.

4. Learned counsel for the petitioners submits that despite the fact that the said food grains was to be delivered on 24.02.2024, the present FIR has been lodged on 15.03.2024 that is after lapse of one month. Learned counsel further submits in this context that as a matter of fact, the petitioner after recovering the food grains and taking it into his custody has filed the present FIR only with a view to harass the petitioner. Further the attention of this Court has already been drawn to paragraph-77 of the case diary. It would appear that 710 bags of rice have already been released in favour of the informant.

6. Learned APP for the State opposes the anticipatory bail.

7. Taking into consideration all the facts and circumstances that petitioner being transport agent as also driver cum owner of the truck, he used to work for the informant and also considering that the petitioner has no criminal antecedent, I am inclined to grant privilege of anticipatory bail to the petitioner. Accordingly, in the event of his arrest/ surrender within a period of four weeks from today the petitioners shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the



satisfaction of the learned Judicial Magistrate 1st class,
Aurangabad, Bihar in Goh P.S.Case No. 53 of 2024, subject to
condition as laid down under Section 438(2) of the Cr.P.C and
subject to the further condition that the petitioner shall co-
operate in investigation/ trial.

(Soni Shrivastava, J)

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