

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36325 of 2024

Arising Out of PS. Case No.-24 Year-2024 Thana- NTPC District- Patna

Munna Yadav @ Munna Kumar S/O Raj Ballabh Yadav R/O Gurudeo Tola,
Ward No.-9, P.S- Mokama, Distt.- Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anirudh Kumar, Advocate
		Mr. Amresh, Advocate
For the Opposite Party/s	:	Mr. Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 30-05-2024 Heard Mr. Anirudh Kumar, learned counsel appearing on behalf of the petitioner and the learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection with N.T.P.C P.S. Case No. 24 of 2024, registered for the offences punishable under Sections 420, 379, 409, 427 and 34 of the Indian Penal Code and Section 7 of the Essential Commodities Act.

3. Allegedly the petitioner who happens to be the driver of truck bearing registration no. BR 53A 8432 indulged in sprinkling water on the rice kept in the truck with a view to make the rice more weighing so that additional rice may be unloaded and misappropriated.



4. Learned counsel appearing on behalf of the petitioner contended that save and except of sprinkling water on the rice, there is no material suggesting that the petitioner has in any way indulged in black marketing or misappropriating the rice loaded on the truck. It is submitted that the name of the petitioner has been implicated on account of he being the driver of the truck in question. Further submission has been made that the petitioner has absolutely fair antecedent and only on suspicion his name has been implicated in this case.

5. On the other hand, learned counsel for the State opposed the pre-arrest bail application and submits that it is the *modus operandi* as reflected from the FIR that persons are indulged in misappropriating the wheat and rice.

6. Regard being had to the submissions made on behalf of the parties and considering the nature of allegation and the fact that during the course of investigation no other material has suggested that the petitioner has ever been found involved in black marketing or misappropriating the wheat and rice coupled with the fair antecedent, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail



bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Barh, Patna in connection with N.T.P.C. P.S. Case No. 24 of 2024, subject to the conditions laid down in Section 438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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