

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57474 of 2015

Arising Out of PS.Case No. -188 Year- 2015 Thana -GURUA District- GAYA

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Amit Kumar, son of Sri Umesh Prasad, Resident of village- Sri Ram Bigha,
P.S.- Gurua, District- Gaya

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pritish Kumar Lal, Advocate

For the Opposite Party/s : Mr. Sunil Kr. Panday (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 05-01-2016 Heard learned counsel for the petitioner and the

learned counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection with Gurua P.S. Case No.188 of 2015 for allegedly having committed the offence under Sections 147, 148, 341, 323, 353, 448, 201, 504 of the Indian Penal Code read with Rules 4 and 40 of BMMC 1972, Rules 6 and 8 of Awadh Khanan Pariwahan Bandaran Niyamawally, 2003 and Rules 4 and 21 of MMDR Act, 1957.

Learned counsel for the petitioner submits that a tractor had been intercepted and during the course of inquiry, it was found that the Driver in question was in possession of fake papers regarding the sand to be lifted thereon. It is submitted

that the petitioner had no concern with the said tractor as the tractor belonged to his brother and though he had gone to the place of occurrence, the petitioner had no role to play. The fact is that he had tried to pacify the verbal interactions between the petitioner's brother and the local police officials.

Considering the nature of allegations made against the petitioner and that neither the petitioner is the owner of the tractor nor has been indulged in any overt act, let the petitioner, above named, 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, 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 Sri G.N. Dubey, learned Judicial Magistrate, 1st Class, Sherghati, Gaya, in connection with Gurua P.S. Case No.188 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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