

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13594 of 2017

Arising Out of PS.Case No. -14 Year- 2017 Thana -SHERGHATI District- GAYA

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Badu Gope, Son of S.C. Chandan Gope, Resident of Village- Ranipur Khrni
Rasulpur, P.S.- Mehdiganj, Patna City, District- Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Siddharth Harsh, Advocate

For the Opposite Party : Smt. Asha Devi (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 30-03-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner apprehends his arrest in connection
with Sherghatti (Dobhi) P.S. Case No. 14 of 2017, registered for
the offences punishable under Sections 413, 414, 420, 384, 467,
468, 471 & 120B of the Indian Penal Code and Section 33, 34 of
the Indian Forest Act.

Allegedly, the petitioner being the owner of truck No.
BR 01GD - 6891 was crossing the truck without depositing entry
fee.

Submission is of false implication and that the
petitioner has already paid the entry tax to the driver, but the
driver did not pay the same. However, later on the entry tax has



already been paid and that truck and coal loaded thereon had already been released by the Deputy Commissioner Commercial Tax, the coal loaded was genuine one and the learned A.C.J.M. had verified the same. He was not in the truck at the time of occurrence, he has got no connection with entry mafias and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. fairly submits that the petitioner was not in the truck and he was not arrested at the spot.

In the facts and circumstances as stated above, the petitioner in the event of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall 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 learned Additional Chief Judicial Magistrate, Sherghatti, District Gaya, in connection with Sherghatti (Dobhi) P.S. Case No. 14 of 2017, subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

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