

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44260 of 2016

Arising Out of PS.Case No. -89 Year- 2016 Thana -NARHAT District- NAWADA

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Pintu Singh, son of Ravindra Singh, Resident of Village-Dhamaula, Police Station-Hisua in the district of Nawada.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

4 09-01-2017 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Narhat P.S. Case No.89 of 2016 registered under Sections 379, 188, 307 and 353/34 of the Indian Penal Code besides Section 40 of the Bihar Minor Mineral Concession Rules, 1972, and Section 8 of the Bihar Mineral Illegal Mining Transportation Stores and Disposal Rules, 2003.

The accusation is that two tractors, one bearing Registration No.BR-27E/4716 and another tractor having no registration number, attached with trailers were seen at the bank of Dhanarjay river and on the trailers thereof sands were being



loaded. Both the tractors were seized by the informant with the help of other police officials. One Santosh Kumar, who was driving the tractor on which registration number was not mentioned, was apprehended. While both the tractors were being carried to the police station, in the way, two persons, namely, Pintu Singh (petitioner) and one Pappu Singh came on two motorcycles and blockade the road. At that time, this petitioner forcibly took the tractor bearing Registration No.BR-27E/4716 and started to move from there in a speed but the trailer of the same became turned down but the petitioner succeeded in fleeing away with the tractor bearing Registration No.BR-27E/4716.

Learned counsel appearing on behalf of the petitioner submits that while it is alleged in the F.I.R. that the petitioner reached on the way when two tractors were being carried to the police station and moved with one tractor bearing Registration No.BR-27E/4716 but in the case diary, which is upto paragraphs-57, there is no description about the recovery of the motorcycle, which is said to be driven by the petitioner, from the alleged place. Moreover, the petitioner has no concern with the tractor bearing Registration No.BR-27E/4716 and the petitioner has falsely been implicated in this case at the instance of his enemies. Petitioner has no criminal antecedent.



Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-III, Nawada, in connection with Narhat P.S. Case No.89 of 2016, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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