

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48986 of 2017

Arising Out of PS.Case No. -137 Year- 2017 Thana -SILAW District- NALANDA
(BIHARSHARIFF)

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1. Deepak Singh, Son of Upendra Singh, Resident of Village- Gandhupur,
P.O.+P.S.- Silao, District- Nalanda, Owner of Tractor Sonalika DI, Chesis
No. 1002658200PF21 Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner : Mr. Jai Vardhan Narayan, Adv.

For the Opposite Party : Mr. Rajkishore Singh, APP 172

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

2 17-10-2017

Heard both sides.

The petitioner apprehends his arrest in Silao P.S. Case No. 137 of 2017 under Sections 379 of the Indian Penal Code, 4, 5, 6 and 7 of the Bihar Illegal Transportation and Storage Prevention of Rules, 2003, and 4 and 440 of the Bihar Mining Concession Act, 1972.

Five tractors, loaded with sands, were intercepted, but, the drivers of the tractors fled away. The Munshi of the company lodged a case that the accused persons committed theft of sands from the ghat settled in favour of Mahadev Enclave Pvt. Ltd., Jaipur, Rajasthan.

The learned counsel for the petitioner submits that the petitioner is the owner of the tractor, bearing registration no. BR-21GA-3319. The petitioner has not committed any offence. The driver of the tractor was plying the tractor on hire. Similarly situated co-accused person, namely, Krishna Prasad, has already been granted anticipatory bail on 20.09.2017 by the lower Court itself vide A.B.P. No. 2379 of 2017.



Considering the facts, aforesaid, the petitioner, above named, in the event of his arrest or surrender, within four weeks from the date of receipt of this order, is directed to be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with **Silao P.S. Case No. 137 of 2017** to the satisfaction of the **Additional Chief Judicial Magistrate, I, Nalanda at Biharsharif**, or successor Court, subject to the condition laid down under Section 438(2) of the Criminal Procedure Code.

(Prabhat Kumar Jha, J)

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