

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51259 of 2017

Arising Out of PS.Case No. -171 Year- 2017 Thana -ASHTHWAN District- NALANDA
(BIHARSHARIFF)

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Sikandar Paswan Son of Shree Gulab Paswan, resident of Village-
Konand, P.S. Asthawan, District- Nalanda.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Ms. Kumari Sujata Sinha, Advocate.

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 09-11-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 27.08.2017 in connection with Asthawan P.S. Case No. 171 of 2017 for the offences alleged under Section 379 of the Indian Penal Code and Section 4/40 of Bihar Mineral Mining Concession Rule 1972 and Section 8(d) of Bihar Illegal Transportation Storage Prevention of Rule, 2003.

3. It is submitted that the petitioner has been falsely implicated as the petitioner was merely working as labourer and has no concern with the *tractor* and sand in question. Specific statement has been made in paragraph-7 of the petition that the petitioner is neither driver nor owner of the *tractor*.



4. A perusal of the F.I.R. however discloses that on being questioned, the driver of the *tractor* disclosed his name as Sikandar Paswan, the petitioner herein.

5. In view of the incorrect statement made in paragraph-7 of the petition, this Court is not inclined to grant the privilege of bail to the petitioner at this stage. The bail petition stands dismissed.

(Vikash Jain, J)

Md. Ibrarul/-

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