

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.24766 of 2018

Arising Out of PS.Case No. -217 Year- 2017 Thana -SALIMPUR District- PATNA

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1. Bahadur Mahto S/o Late Kala Mahto, R/o Vill.- Rupas Maruahi, P.S.-
Salimpur, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey, Advocate

For the Opposite Party/s : Dr. Kumar Uday Pratap, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 09-05-2018 Heard the parties.

The petitioner seeks anticipatory bail in connection with
Salimpur P.S.Case No. 217 of 2017, registered for offences
punishable under Sections 379 of the Indian Penal Code.

Allegation against the petitioner is that the petitioner
involved in illegal Mining and illegal transportation of sand with a
tractor, causing revenue loss of Government.

Learned counsel for the petitioner submits that the
petitioner has been falsely implicated in this case due to village
politics and the petitioner is not the owner of the tractor. It is also
submitted that the petitioner has no criminal antecedent.

Learned A.P.P. opposes the prayer for bail.

Having heard both sides and in view of the facts and
circumstances as discussed above, let the petitioner, above named,
in the event of arrest or surrender before the court below within a



period of six weeks from the date of order, be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of Shri A.K. Thakur, learned Sub Judge- II-cum- A.C.J.M., Barh, District- Patna in connection with Salimpur P. S. Case No. 217 of 2017, subject to the condition that as laid down under Section 438 (2) of the Code of Criminal procedure.

With following conditions:-

- i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- ii) The petitioner will not induce any witness or tamper with the evidence.
- iii) The petitioner shall co-operate in the investigation of the case and make himself available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of his bail bond.

(Vinod Kumar Sinha, J)

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