

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.64094 of 2018

Arising Out of PS. Case No.-265 Year-2018 Thana- RAJAON District- Banka

Uttam Yadav Son of Mahavir Yadav, resident of Village- Dayalpur, P.S.-
Rajoun, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Nurul Hoda
For the Opposite Party/s : Mr. Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 14-12-2018 Heard the learned counsel for the petitioner and

the State.

The petitioner seeks bail in anticipation of his arrest in connection with Rajoun P. S. Case No. 265 of 2018 dated 16.06.2018 instituted for the offences under Sections 147, 147, 149, 341, 323, 307, 353, 379, 411 and 504 of the Indian Penal Code.

Two tractors which were loaded with sand in an unauthorized manner were intercepted by the informant, an ASI of police. The driver of one of the tractors managed to run away. One driver who was arrested disclosed his name as Ravan Yadav. While the police party was escorting the



aforesaid two tractors, people of the neighborhood obstructed the police party and from amongst the obstructionists, one Ramanand was arrested.

The petitioner is alleged to be the owner of the tractor, the driver of which could manage to escape.

Learned counsel for the petitioner has submitted that there is no dispute with respect to the ownership of the tractor and the trailer. It has further been submitted by him that he had given his tractor and trailer to the driver for being used in an authorized manner but the driver of the petitioner misused the same.

The petitioner did not have any idea that his tractor would be used for carrying sand illegally.

Regard being had to the aforesaid facts and that the petitioner does not have any criminal antecedents, the petitioner, above-named, is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two



sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Banka in connection with Rajoun P. S. Case No. 265 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C.

(Ashutosh Kumar, J)

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