

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21719 of 2018

Arising Out of PS.Case No. -2 Year- 2018 Thana -MANPUR District- NALANDA
(BIHARSHARIFF)

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1. BALI RAM PRASAD SINGH S/o Sri Arjun Singh, R/o Village- Issua,
P.S.- Sarmera , Distt.- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh

For the Opposite Party/s : Mr. Sri Binod Kumar 3

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 18-06-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with Manpur P.S.Case no.2 of 2018 , registered for offences punishable under Section 379 of the IPC and Section 4/40 of the Bihar Minerals Concession Rules, 1972 and Section 8(d) of Bihar Minerals (Prevention of Illegal Mining Transportation and Storage) Rules, 2003.

Allegation against the petitioner is of committing theft of the sand and the truck was seized. The petitioner is the owner of the truck.

Submission of the learned counsel for the petitioner is that he is owner of the truck as such he has been falsely implicated in this case, which will appear from the seizure list, in which it has



not been mentioned that the sand was loaded in the truck and only truck number has been mentioned.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated 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 receipt of the order, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Biharsharif in connection with Manpur P.S.Case No.02 of 2018, subject to condition 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.

With the aforesaid direction, this application is allowed.

(Vinod Kumar Sinha, J)

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