

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53924 of 2018

Arising Out of PS. Case No.-102 Year-2018 Thana- BARUN District- Aurangabad

Nitish Yadav, S/o Arvind Kumar Singh @ Arvind Yadav, R/o Village Pandit Bigha, P.S. Barun, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh

For the Opposite Party/s : Mr. C. Jawahar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

3 12-10-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 341, 323, 353, 307 and 379 of the Indian Penal Code.

The prosecution case, in short, is that the informant along with DTO were engaged in seizing the tractors and taking them to the police station, an accused person fled away by taking tractor after assaulting the informant.

It has been submitted on behalf of the petitioner that there is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The petitioner is alleged to be tractor owner. The



tractor in question was transporting sand. The said tractor was intercepted by the Mining Department for oblique reasons. The petitioner objected to it, hence the present case has been instituted. There is no injury caused to any one, hence, no offence under Section 307 IPC is made out.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R./complaint case.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Barun P.S. Case No. 102/2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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