

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13295 of 2018

Arising Out of PS.Case No. -520 Year- 2017 Thana -BIHTA District- PATNA

=====

1. Uday Kumar S/o Hazari Prasad Yadav, R/o Village- Karnpura, P.S.-
Naubatpur, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ravi Kant Kumar

For the Opposite Party/s : Mr. Sri Kumar Ranjit Ranjan

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 05-04-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with Bihta P.S.Case No.520 of 2017 , registered for offences punishable under Sections 147, 148, 149, 406, 379, 420B of the Indian Penal Code and Section 4/21 MMDR Act, 1975 & 4/40 of Bihar Mines Minerals concession Rule 1972.

Allegation against the petitioner is of committing theft of sand and causing financial loss to the Government.

Submission of the learned counsel for the petitioner is that the petitioner is a Driver of Poklen Machine and except that there is nothing against him and there is no materials against him that he was extracting sand and he is a driver.

Heard learned A.P.P. also.



Having heard both sides and in view of the fact that the petitioner is Driver of the Poklen Machine, 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) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. at Danapur, District Patna in connection with Bihta P.S.Case No.520 of 2017, 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 observation, this application is allowed.

(Vinod Kumar Sinha, J)

chn/-

U		T	
---	--	---	--

