

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13912 of 2019

Arising Out of PS. Case No.-91 Year-2018 Thana- SUIYA District- Banka *

Binod Yadav Son of Basudev Yadav R/o Village- Panna, P.S.- Jhajha, District-
Jamui

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Brij Nandad Prasad, Advocate,
For the Opposite Party/s : Mr.Anil Kumar, App

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 12-03-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection with Suiya P.S. Case No. 91 of 2018 registered for the offences under Sections 379, 411 of the Indian Penal Code, 4/40, B.M.M.C. Rules, 1972, 4/21(i)/21(4A) MMRD Act, and 3, 6, 8 B.M.M.C. Rules, 2003.

The informant who is the Assistant Sub-Inspector posted in Suiya Police Station lodged the first information report alleging that he got secret information regarding illegal transportation of sand. He after informing senior police officials reached at Bhelwa Pulia and noticed a tractor loading with sand coming from Nawadih Ghat side. On seeing the police driver tried to escape but he was caught on query he disclosed his



name Jalo Pujhar but did not produce any documents regarding the sand and vehicle.

Learned counsel for the petitioner submits that petitioner happens to be owner of the tractor and he has got no knowledge that his tractor is being used in sand lifting. It is further submitted that petitioner deposited the loss which has incurred to the State.

Learned APP opposed the prayer of anticipatory bail of the petitioner.

Considering the facts and circumstances of the case wherein the petitioner is said to be the owner of the tractor and had got no knowledge that the tractor was being used for sand lifting, let the petitioner above named, in case of his arrest or surrender within a period of four weeks from today in connection with Suiya P.S. Case No. 91 of 2018, be enlarged on bail on furnishing of bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate Ist, Banka, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajeev Ranjan Prasad, J)

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