

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20152 of 2019

Arising Out of PS. Case No.-34 Year-2019 Thana- BARUN District- Aurangabad

RAM CHANDRA YADAV S/o Late Dhodhi Yadav Resident of Village-
Bishunpur, P.S.- Dhibra, District- Aurangabad.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 02-04-2019

Heard learned counsel for the parties.

This application for anticipatory bail arises out of Barun P.S. Case No. 34 of 2019 for the offence punishable under Sections 379, 411 and 420/34 of the Indian Penal Code, Section 4/40 of B.M.M.C.R. and Section 15 of the Pollution Act.

Petitioner is owner of a tractor, which was seized by the police on noticing that it was carrying sand, illegally extracted from the Sone river. The driver of the tractor was arrested.

Learned counsel appearing on behalf of the petitioner has submitted that he has been implicated only on the allegation that he is the owner of the vehicle. There is no allegation in the First Information Report that use of the tractor



for illegal purpose was within the petitioner's knowledge. The petitioner does not have any criminal antecedent as stated in paragraph 3 of the application.

Considering the facts and circumstances, this application is allowed.

Let the petitioner above named, in the event of his arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Aurangabad, in Barun P.S. Case No. 34 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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