

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21648 of 2019**

Arising Out of PS. Case No.-195 Year-2018 Thana- KATORIYA District- Banka

NAIM ANSARI son of Ismile Miyan @ Ismal Ansari resident of village
Beharbari, P.S. Chandan District Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Nandad Prasad
For the Opposite Party/s : Mr.Dr. Indiwari Kumari

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER**

2 10-05-2019 Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection with Katoria P.S.case No.195 of 2018 registered for offences punishable under Sections 379, 411 of the Indian Penal Code and Section 4/21 of M.M.R.D. Act 1957 and 4/40 of B.M.M.C. Rules, 1972..

Allegation against the petitioner as per FIR is that the Tractor of the petitioner was intercepted carrying sand, having valid challan.

Submission of the learned counsel for the petitioner is that he is owner of the Tractor and he was not responsible for carrying sands as the vehicle is in the hands of the Driver.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and



circumstances, as stated above, I am not inclined to grant privilege of anticipatory bail to the petitioner, however, the petitioner is directed to surrender before the learned court below and make prayer for regular bail, which will be considered by the learned court below without being prejudiced by the order of this Court and if possible to be disposed of on the same day.

With the aforesaid direction, this application is dismissed.

(Vinod Kumar Sinha, J)

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