

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35258 of 2019

Arising Out of PS. Case No.-299 Year-2018 Thana- BELHAR District- Banka

Divakar Yadav

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shyama Nand Thakur

For the Opposite Party/s : Mr. Bharat Lal

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 03-06-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with Belhar P.S. Case No. 299 of 2018 registered for offences punishable under Sections 379, 414 and 420 of the Indian Penal Code and Section 21 of M.M.R.D. ACT.

The allegation in the F.I.R. is that on receiving information on 31.10.2018, a Mahindra Tractor loaded with sand was caught by the informant and on asking for papers, challan shown by the driver, was already expired on the previous date i. e. on 30th October, 2018 and the petitioner happens to be the owner of the tractor.

It is submitted by the learned counsel for the petitioner that the petitioner has been falsely implicated and sand had been picked up on the previous date but due to mechanical failure and delay in making the tractor workable,



the same was being transported on the next date i.e. on 31.1.0.2018. It is further submitted that the petitioner has no criminal antecedent.

Having heard learned counsel for the petitioner and the learned A.P.P. of the State, in view of the facts and circumstances of the case, let the petitioner, Divakar Yadav, in the event of his arrest or surrender in the Court below within a period of six weeks from today in connection with Belhar P.S.Case No. 299 of 2018, 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 learned C.J.M., Banka, subject to the conditions as laid down under Section 438 (2) of Cr.P.C.

(Partha Sarthy, J)

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