

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35319 of 2019

Arising Out of PS. Case No.-78 Year-2019 Thana- RAJAON District- Banka

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Aditya Prasad Sah @ Aditya Pd. Sah, Son of Lalan Prasad Sah, Resident of
Dhruvganj, Kharik, Police Station- Kharik, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Praveen Kumar

For the Opposite Party/s : Mr.Ramesh Chandra

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 09-08-2019 This is an application for grant of anticipatory bail in connection with Rajoun P.S. Case No. 78 of 2019, disclosing offences under Sections 379, 411, 420, 467, 468, 120A, 471, 34 of IPC, Section 40(8) of B.M.M.C Rule, 1972, Section 21(1)((4) of Mines and Minerals (Development and Regulation Act, 1957 and Section 8(a) of Bihar Minerals (Prevention of Illegal Mining Transportation and Storage Rule, 2003 as well as Section 15 of Forest and Environment Ac, 1986.

Prosecution story is that one tractor with trolley loaded with sand was seized and in place of 100 CFT, 200 CFT sand was found on the tractor and the challan produced by the driver was also found to be forged.

Submission of the learned counsel for the petitioner is that F.I.R. itself disclosed that challan was given to the driver of



the tractor by one Ramanand Kumar Yadav, which appears from the F.I.R. itself, as such, the petitioner being owner of the tractor is not being liable for production of the forged challan. He is ready to abide by any condition imposed upon him, having no criminal antecedent.

Heard learned A.P.P. also.

Having heard both sides, considering the above submission, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of learned Chief Judicial Magistrate, Banka, in connection with Rajoun P.S. Case No. 78 of 2019, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure with condition that if the petitioner is found his involvement in future in such type of offence, the prosecution is at liberty to move for his cancellation of bail bonds.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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