

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39955 of 2019

Arising Out of PS. Case No.-9 Year-2019 Thana- DARIHAT District- Rohtas

MANGAL KUMAR @ MANGL KUMAR Son of Dadan Singh Resident of
Village- Chitamanpur, P.S.- Sasaram, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Siddharth Harsh

For the Opposite Party/s : Mr.Bharat Bhushan

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 28-06-2019 Heard learned counsel for the parties.

The petitioner apprehends his arrest in connection with Darihat P.S.Case No. 9 of 2019 registered under Sections 379 and 411 of the Indian Penal Code and 40(1) of the Bihar Mines and Mineral Concession Rules, 1972.

Allegation, as per the FIR, is that the police intercepted five tractors loaded with sand. Driver of one of the tractors fled away while three drivers out of five were caught including the driver of the petitioner's tractor and the tractor of the petitioner is listed at sl. no. 1 in the FIR.

Submission of learned counsel for the petitioner is that petitioner is the owner of the tractor bearing Registration No. BR-24GA 7967 and his driver Surendra Singh while plying the tractor, was arrested by the police. Learned counsel submits that petitioner had issued instructions to his driver not to indulge in



any illegal activity and petitioner was not knowing that his driver was loading illegal sand in his tractor. He further submits that petitioner has got no criminal antecedent.

After having heard learned counsel for the petitioner and learned counsel for the State and considering the facts and circumstances of the case that the petitioner is a owner, I am inclined to grant privilege of anticipatory bail to the petitioner. Accordingly, let the petitioner, abovenamed, in the event of arrest or surrender before the court below within a period of four weeks from the date of receipt of a copy of this order, be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Dehri, Rohtas in connection with Darihat P.S. Case No. 09 of 2019; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

sujit/-

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