

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43608 of 2019

Arising Out of PS. Case No.-126 Year-2019 Thana- BANKA District- Banka

MD. IMDADULLA @ IMDAD ULLAH Son of Md. Belal Resident of
Village- Khiribandh, P.S.- Jagdishpur, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Jha

For the Opposite Party/s : Mr.Ram Priya Sharan Singh

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 16-07-2019 Heard the parties.

The petitioner seeks pre-arrest bail in Banka P.S. Case No.126 of 2019 registered for the offence under Sections 379, 411, 420, 467, 468, 471, 120(B)/34 of the Indian Penal Code, Section 8 of B.M.P.I.M.T.S. Rules 2003, Section 40 of B.M.M.C. Rules 1972 and Section 15 of Forest Environment Act,1986.

Accusation is that two trucks bearing Registration No.JH 2P-1935 owned by the petitioner and Truck bearing Registration No.BR 11GA- 3473 were stopped by the informant and on cheking by the police both the aforesaid trucks were found loaded with 600 CFT sand and 800 CFT sand respectively. Further it is alleged that the driver of the said



trucks, namely, Kesar and Subhash produced the challans but both were found fake.

Learned counsel for the petitioner submits that, admittedly, the petitioner is owner of the Truck No.JH 2P1935 and the truck was engaged for transportation but the petitioner had no knowledge about driver of the petitioner who had loaded the sand without any valid challan.

Having heard both sides, let the petitioner, above named, in the event of his arrest or surrender before the court below within four weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the C.J.M., Banka, in Banka P.S. Case No.126 of 2019 corresponding to G.R.No.469 of 2019 subject to the conditions as laid down under Section 438(2).

(Rajendra Kumar Mishra, J)

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