

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51425 of 2019

Arising Out of PS. Case No.-178 Year-2019 Thana- BARUN District- Aurangabad

Vikash Kumar, aged about 20 years, Gender-Male S/o Harinarayan Singh
Resident of Village- Nand Tola, P.S.- Darihat, District- Rohtas

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Bhaskar Shankar, Advocate

For the Opposite Party : Mr. Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 16-11-2019 Heard learned counsel for the petitioner, learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 379, 411 and 420/34 of the Indian Penal Code and Sections 4 and 40 of Bihar Minor Mineral Concession Rule and Section 15 of Environment Protection Act.

As per prosecution case, the informant alleges that during inspection at GT road, Aurangabad caught a tractor loaded with sand through which illegal transporting of sand was being carried out without challan and other relevant papers and during course of investigation, the petitioner name has figured.

It is submitted on behalf of the petitioner that the petitioner has falsely been implicated in this case. It is also submitted that petitioner is the owner of the tractor and the vehicle was being used by the driver without his consent. It is also submitted that the driver of the vehicle, namely, Manish Kumar @ Manish has also been



granted anticipatory bail by a coordinate Bench of this Court in Cr.Misc.No.55151 of 2019 dated 02.09.2019. Petitioner has got no criminal antecedent.

In the aforesaid facts and circumstances, let the above named petitioner be released on bail in the event of his arrest or surrender before the Court below within a period of six weeks from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Aurangabad/successor Court in connection with Barun P.S.Case No.178 of 2019, with following conditions:-

(i) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(ii) If the petitioner tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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