

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55930 of 2019

Arising Out of PS. Case No.-86 Year-2019 Thana- UDWANTNAGAR District- Bhojpur

PAPPU SINGH Son of Shivkumar Singh Resident of Village- Sarfarar, P.S.-
Udwant Nagar, (Gajrajganj), District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shiv Prasad Gupta

For the Opposite Party/s : Mr.Rana Randhir Singh

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 03-09-2019 Heard learned counsel for the petitioner and learned APP for
the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 147, 149, 341, 323, 326, 353, 420, 379, 411, 504 of the Indian Penal Code and Section 4(40) of the Bihar Minor Mineral Concession Rule and Section 15 of the Environmental Protection Act, 1986 registered in connection with Udwant Nagar P.S. Case No. 86/2019.

3. It is submitted that the petitioner has been falsely implicated along with eight other named and ten unknown persons. It is submitted that the petitioner is not the owner of the tractor found illegally loaded with sand but has merely taken a lift on the tractor. The specific allegation against the petitioner of having bitten the informant's finger is not corroborated with the injury report, which is pending. Other co-accused persons have been granted anticipatory bail by this Court in Cr. Misc. No. 39326 of 2019. The petitioner claims clean antecedents.

4. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within four weeks from the date of communication of this order, let the above named petitioner be



released on provisional bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned CJM, Bhojpur at Ara in connection with Udawant Nagar P.S. Case No. 86/2019 subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions:

- i. That one of the bailors shall be a close relative of the petitioner.
- ii. That the petitioner shall not indulge in any similar offence till conclusion of the trial.
- iii. That the petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.
- iv. The petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

5. The provisional bail granted to the petitioner shall be confirmed by the learned Court below upon verification within a further period of four weeks after furnishing bail bond, that no injury has been caused to the informant on his hand. In case injury is found, his bail bond shall stand automatically cancelled.

(Vikash Jain, J)

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