

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66064 of 2019

Arising Out of PS. Case No.-71 Year-2019 Thana- NIMCHAKBATHANI District- Gaya

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DHANANJAY PRASAD Son of kameshwar Prasad Resident of Village -
Tetar, P.S.- Atri, Dist.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Avanish Kumar Singh

For the Opposite Party/s : Mr.Binod Kumar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 21-10-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered under
Section 379 of the Indian Penal Code and Sections 4/21 of
MMDR Act, 1957, Rule 4/40 of the BMMC Rule, 1972 and
Rule 6 sub Rule 3, 5(A), 5(c) & 8(A) of BM (IMT & S) Rule,
2003.

Prosecution case, in short, is that on patrolling due the
petitioner saw a tractor tailor with loaded sand near Bari Bazar
and when he demanded e-challan, the driver could not produce
challan.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 18.06.2019 and has got no
criminal antecedent. Charge sheet has been submitted in this



case. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. Sand is said to have been loaded on the tractor in question. Same was being loaded by way of illegal mining. The allegations made are denied by the petitioner.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, 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 A.C.J.M. Xth, Gaya in connection with Neemchak Bathani P.S. case No.71 of 2019.

(Sudhir Singh, J)

Narendra/-

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