

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.75499 of 2019**

Arising Out of PS. Case No.-198 Year-2019 Thana- MUFFASIL District- Aurangabad

ASHOK KUMAR Son of Akhilesh Singh Resident of Village-Jagdishpur  
Chiraila, P.S.-Barun, District-Aurangabad (Bihar).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

|                    |   |                                   |
|--------------------|---|-----------------------------------|
| For the Petitioner | : | Mr. Anirudh Kumar Verma, Advocate |
| For the State      | : | Mr. Nityanand Tiwary, APP         |

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      26-11-2019                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner is apprehending his arrest in a case  
registered under Sections 379 and 411 of the Indian Penal Code.

Allegation is that a tractor is recovered along with  
loaded sand.

It has been submitted on behalf of the petitioner that  
the petitioner has got no criminal antecedent. There is no  
allegation of tampering of witnesses alleged against the  
petitioner. The petitioner has falsely been implicated in the  
present case. The petitioner is the driver of the tractor. He had  
no knowledge that the sand loaded on the tractor is theft  
property. He has been made accused due to mistake of fact.

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, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Aurangabad Mufassil P.S. case No.198 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

Narendra/-

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