

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1744 of 2020

Arising Out of PS. Case No.-562 Year-2019 Thana- BAHADURPUR District- Darbhanga

Md. Shafique Son of Md. Yakub Ansari Resident of Mohalla- Quazipura
Abdullahpur, Ward No. 32, P.S.- Laheriasarai, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Baidya Nath Prasad, Advocate

For the Opposite Party/s : Mr.Amit Kumar Rakesh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 25-02-2020 Heard learned counsel for the petitioner and
learned A.P.P for the State.

The petitioner apprehends his arrest in **Darbhanga Bahadurpur P.S. Case No. 562 of 2019**, registered for the offence punishable under Section 283/379 of the Indian Penal Code and section 4/40 of the Bihar Mining Act and 188 of the Motor Vehicles Act.

The informant alleged that petitioner is involved in cutting the soil without having any valid license. Some tractors and JCB were seized. Petitioner is owner of one of the seized tractors.

It is submitted that petitioner has falsely been implicated in this case merely on suspicion. In fact petitioner has Nursery and has parked his tractor at his own field near his



garden. In the meantime, there was raid and the police also seized the tractor of petitioner. Petitioner has got clean antecedent.

Considering the facts aforesaid, the petitioner above-named in the event of his arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned **Sub-Divisional Judicial Magistrate, Darbhanga** in connection with **Darbhangha Bahadurpur P.S. Case No. 562 of 2019**, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure with further conditions:-

(i) The petitioner shall co-operate 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers 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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