

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12752 of 2020

Arising Out of PS. Case No.-12 Year-2020 Thana- ISLAMPUR District- Nalanda

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Guddu Kumar, Son of Shiv Kumar Singh @ Loha Singh, Resident of Village
- Mohiuddinpur, P.S.- Islampur, District - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh, Advocate.

For the Opposite Party/s : Mr.Choubey Jawahar, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 30-06-2020 Heard learned counsel for the petitioner and the learned
A.P.P. for the State through Video Conferencing.

The petitioner apprehends his arrest in connection with
Islampur P.S. Case No. 12 of 2020, registered under Sections 341,
323, 353, 379 and 420 of the Indian Penal Code, Section 56 of the
Bihar Minerals (Prevention of Illegal Mining Storage and
Transportation) Rule, 2019 and Section 4/21 of the Mines Minerals
Development and Regularion Act, 1957.

The accusation is that in course of patrolling duty,
informant along with other police personnel received information
about loading of illegal sand at blue colour Swaraj Tractor at the
bank of river situated in the western side of village Bishunpur.
Thereafter, informant along with other police personnel reached there
then saw a blue colour Swaraj Tractor attached with trailer loaded



with sand but on seeing the police party, the driver of the aforesaid tractor succeeded to flee away. Thereafter, informant and other police personnel tried to take away the aforesaid tractor at the police station then owner Mahendra Jamadar, driver of the tractor, Shiv Kumar Singh, Guddu Kumar (petitioner) and 20-25 unknown came and started to abuse and creating nuisance in discharging of official duty.

Learned counsel for the petitioner submits that petitioner is neither the owner nor the driver of the aforesaid tractor but with ulterior motive petitioner has falsely been implicated in the present case.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Hilsa, Nalanda, in connection with Islampur P.S. Case No. 12 of 2020, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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