

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15879 of 2020

Arising Out of PS. Case No.-3 Year-2020 Thana- KATORIYA District- Banka

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1. TRIVENI MAHTO @ TRIVI YADAV S/o Jageshwar Mahto Resident of Village-Butawariya, Police Station-Katoriya, District-Banka.
 2. Nilesh Kumar Singh Son of Awdhesh Pd. Singh Resident of Village-Ranghatta, Police Station-Katoriya, District-Banka.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. The Assistant Director, Mines and Geology Department, Banka.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee
For the Opposite Party/s : Mr.Md. Ataur Rahman

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-07-2020 Due to COVID-19 Pandemic, the matter is being taken up by way of virtual Court proceeding.

The matter has been listed under the heading ‘For Orders’ under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioners and learned APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 379, 411 of the Indian Penal Code and Sections 4/21 of MMRD Act, 1957 and Sections 4/40 BMMC Rule 1972, 4/21(i), 4/21 MMRD Act 1957.

Allegation is that some unknown persons were



loading sand on a tractor vehicle and on seeing the police personnel they succeeded to flee away.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. The petitioner No.1 happens to be the owner of the tractor and petitioner No.2 is the driver of the tractor in question.

On behalf of the State, it is submitted that the petitioners are not named in the F.I.R.

Considering the aforesaid facts and circumstances of the case and also the lockdown, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of eight weeks from today, be released on anticipatory bail on their personal bond to the satisfaction of Chief Judicial Magistrate, Banka in connection with Katoriya P.S. case No.03 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioners will furnish bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of seven



weeks to the satisfaction of the court concerned in connection
with the aforesaid case.

(Sudhir Singh, J)

Narendra/-

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