

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20540 of 2020

Arising Out of PS. Case No.-61 Year-2019 Thana- BARABAR TOURIST District- Jehanabad

1. Ram Pukaran Sharma Son of Raj Nandan Singh Resident of Village - Sumara, P.O.- Malathi, P.S.- Makhdumpur, District- Jehanabad
2. Rakesh Kumar Son of Bechhan Sharma Resident of Village - Sumara, P.O.- Malathi, P.S.- Makhdumpur, District- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashutosh Singh

For the Opposite Party/s : Mr.Binod Kumar

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

2 09-10-2020 The defect as pointed out by the office be ignored.

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with
Barabar Paryatan (Bishunganj O.P) P.S. Case No. 61 of 2019
registered the offences punishable under Sections 379, 420, 411
of the Indian Penal Code .

Petitioner no. 1 happens to be owner of the tractor and
petitioner no. 2 happens to be driver o f the seized tractor.

The accusation against the petitioners is that they
were carrying illegal sand loaded on the seized tractor.

However, learned counsel of the petitioners submits



that petitioners had valid permit to carry sand which is evident from perusal of Annexure-2 to the petition and as a matter of fact, petitioner no. 2 having seen the police party fled away leaving tractor behind him out of fear and that was the reason the permit could not be produced before the concerned police official as well as mining officials.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioners, in the event of their arrest/ surrender within four weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Sub Divisional Judicial Magistrate, Jehanabad in Barabar Paryatan (Bishunganj O.P) P.S. Case No. 61 of 2019 subject to condition as laid down under Section 438(2) of the Cr.P.C.

N.K/-

(Hemant Kumar Srivastava, J)

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