

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27217 of 2020**

Arising Out of PS. Case No.-141 Year-2019 Thana- PUPRI District- Sitamarhi

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Bhola Rai S/o Shankar Rai Resident of Village-Kusail, P.S.-Pupri, District-Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha

For the Opposite Party/s : Mr.Pramod Kumar Pandey

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 21-10-2020 Heard learned counsel for the petitioner and learned
A.P.P. for the State through video conferencing.

The petitioner apprehends his arrest in Pupri P.S. Case No. 141 of 2019 registered for the offence under Sections 188, 379, 411/34 of the I.P.C., Sections 4/40 of Bihar Mines and Mineral Act, Section 4/21 of M.M.D.R.Act and Sections 3/8(a) of P.P.I.M.T.S. Act, 2003.

As per the prosecution case, on secret information, the informant, who is Mines Inspector, raided and seized one J.C.B. machine and three tractors, which were found loaded with soil and one tractor, bearing Reg. No. BR30GA-1660, Engine No. 526927298703, Chasis No. 926911580120, was parked there, which was empty.

It is submitted on behalf of petitioner that petitioner is driver of the tractor, of which, trailer was empty and no soil was loaded on it. It is further submitted that no case under Sections



379 & 411 of the I.P.C. is made out, since the tractor in question was empty. It is stated in paragraph -3 of the petition that petitioner has no criminal antecedent.

Considering the aforesaid facts and circumstances, the bail application of petitioner is allowed. In the event of his arrest or surrender within a period of eight weeks from the date of receipt/production of copy of this order, let the above-named petitioner be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Pupri at Sitamarhi in connection with Pupri P.S. Case No. 141 of 2019, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Singh, J.)

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