

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28828 of 2020

Arising Out of PS. Case No.-150 Year-2020 Thana- KAUWAKOL District- Nawada

1. BIPIN CHAUDHARY Son of Awadh Kishore Chaudhary Resident of Mohalla - Ward No. 1, Bhagwanpur, P.S.- Bhagwanpur, Distt.- Begusarai.
2. Amit Kumar Son of Awadh Kishore Chaudhary Resident of Mohalla - Ward No. 1, Bhagwanpur, P.S.- Bhagwanpur, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.N.K. Agarwal, Sr. Advocate

For the Opposite Party/s : Mr. Mrityunjay Kr. Gautam

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 03-12-2020

The present petition has been taken up for consideration through the mode of Video Conferencing in view of the prevailing situation on account of COVID-19 Pandemic.

Heard Sri N.K. Agarwal, the learned Sr. counsel for the petitioners and Sri Mrityunjay Kumar Gautam, the learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Kawakol PS case no. 150 of 2020 registered for the offences punishable under Sections 379 and other allied sections of Indian Penal Code.

The informant has alleged that 09 trucks loaded with sand were intercepted and seized by the police, which are



stated to be carrying sand illegally without any valid permit.

The learned Senior counsel for the petitioners has submitted that the petitioners are innocent and have been falsely implicated in the present case. The learned Senior counsel for the petitioners has submitted that the petitioners are owners of the two trucks in question and they are ready to deposit the amount of royalty/ amount of loss caused to the State Government, on account of illicit ferrying of sand without any valid permit. It is also submitted that similarly situated co-accused person has already been granted the privilege of anticipatory bail vide order dated 14.10.2020 passed by a co-ordinate Bench of this Court in Cr. Misc. no. 25578 of 2020.

Having regard to the facts and circumstances of the case, considering the submissions of the learned counsel for the parties and taking into account the fact that the petitioners are ready to deposit the amount of loss caused to the State Exchequer, I deem it fit and appropriate to admit the petitioners to the privilege of anticipatory bail. Accordingly, the abovenamed petitioners, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/ production of a copy of this order, are directed to



be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Nawada in connection with Kawakol PS case no. 150 of 2020 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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